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Washington, Wednesday, October 31, 1945

The President

EXECUTIVE ORDER 9649

TERMINATION OF THE OFFICE OF FISHERY COORDINATION

By virtue of the authority vested in me by Title I of the First War Powers Act (55 Stat. 838), and as President of the United States, it is hereby ordered as follows:

The Office of Fishery Coordination (hereinafter referred to as the Office), established pursuant to Executive Order No. 9204 of July 21, 1942,¹ together with the office of Fishery Coordinator, is terminated.

The Secretary of the Interior, acting through the Fish and Wildlife Service, or any other agency or agencies of the Department of the Interior designated by him, is authorized and directed to wind up the affairs of the Office and to utilize for that purpose, and for the purpose of carrying out the functions vested in him by Food Directive No. 2 of the Secretary of Agriculture, dated February 8, 1943, as amended,² and subsequently delegated to the Fishery Coordinator, so much of the personnel, records, property, and funds of the Office as may be necessary.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 29, 1945.

[F. R. Doc. 45-20012; Filed, Oct. 30, 1945; 10:23 a. m.]

EXECUTIVE ORDER 9650

DISCONTINUING PORTLAND, MAINE; PORTSMOUTH, NEW HAMPSHIRE; BOSTON, MASSACHUSETTS; NARRAGANSETT BAY; NEW LONDON, CONNECTICUT; NEW YORK HARBOR; DELAWARE BAY AND RIVER; CHESAPEAKE BAY-NORFOLK; CHARLESTON HARBOR; AND BUZZARDS BAY AND VINEYARD SOUND DEFENSIVE SEA AREAS

By virtue of the authority vested in me by section 44 of the Criminal Code, as amended (18 U. S. C. 96), the following-designated defensive sea areas are hereby discontinued:

¹ 7 F.R. 5657.
² 8 F.R. 1777.

1. Portland, Maine, Defensive Sea Area, established by Executive Order No. 8970 of December 11, 1941.¹

2. Portsmouth, New Hampshire, Defensive Sea Area, established by Executive Order No. 8970 of December 11, 1941.

3. Boston, Massachusetts, Defensive Sea Area, established by Executive Order No. 8970 of December 11, 1941.

4. Narragansett Bay Defensive Sea Area, established by Executive Order No. 8970 of December 11, 1941.

5. New London, Connecticut, Defensive Sea Area, established by Executive Order No. 8978 of December 16, 1941.²

6. New York Harbor Defensive Sea Area, established by Executive Order No. 8978 of December 16, 1941.

7. Delaware Bay and River Defensive Sea Area, established by Executive Order No. 8978 of December 16, 1941.

8. Chesapeake Bay-Norfolk Defensive Sea Area, established by Executive Order No. 8978 of December 16, 1941.

9. Charleston Harbor Defensive Sea Area, established by Executive Order No. 8978 of December 16, 1941.

10. Buzzards Bay and Vineyard Sound Defensive Sea Area, established by Executive Order No. 9266 of November 6, 1942.³

HARRY S. TRUMAN

THE WHITE HOUSE,
October 29, 1945.

[F. R. Doc. 45-20013; Filed, Oct. 30, 1945; 10:23 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 973—MILK IN THE MINNEAPOLIS-ST. PAUL, MINNESOTA, MARKETING AREA

Sec.
973.0 Findings and determinations.
973.1 Definitions.

¹ 6 F.R. 6417.
² 6 F.R. 6469.
³ 7 F.R. 9107.

(Continued on p. 13433)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDERS:	Page
Fishery Coordination Office, termination.....	13431
Portland, Maine; Portsmouth, N. H.; Boston, Mass.; Narragansett Bay, New London, Conn.; New York Harbor; Delaware Bay and River; Chesapeake Bay-Norfolk; Charleston Harbor; and Buzzards Bay and Vineyard Sound defensive sea areas; discontinuance.....	13431

REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT:

Milk handling in Minneapolis-St. Paul, Minn., marketing area.....	13431
Set asides required to be delivered:	
Beef (WFO 75-2, Am. 31).....	13437
Lamb and mutton (WFO 75-6, Am. 2).....	13438
Veal (WFO 75-4, Am. 5).....	13438

COAST GUARD:

Approval of equipment.....	13486
----------------------------	-------

FEDERAL COMMUNICATIONS COMMISSION:

Star Broadcasting Co., Inc., et al.; hearing.....	13458
---	-------

FEDERAL POWER COMMISSION:

Hearings, etc.:	
Interstate Natural Gas Co., Inc.....	13460
Michigan-Wisconsin Pipe Line Co.....	13461
Northern Natural Gas Co. (2 documents).....	13461

FEDERAL SECURITY AGENCY:

Narcotic addicts.....	13452
-----------------------	-------

FISH AND WILDLIFE SERVICE:

Havasu Lake National Wildlife Refuge, Ariz. and Calif.; hunting regulations.....	13458
--	-------

INTERNATIONAL TRADE OPERATIONS,

OFFICE OF:	
Clearance procedure, selected destinations; blockade control permit.....	13439
General licenses; metal drums and containers.....	13439

(Continued on p. 13432)



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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

CONTENTS—Continued

INTERNATIONAL TRADE OPERATIONS, Office of—Continued.	Page
Individual licenses:	
Containers	13439
Weight and volume tolerance	13439
Trucks, limited production license	13440
INTERSTATE COMMERCE COMMISSION:	
Rerouting of traffic; appointment of agent	13457
LABOR DEPARTMENT:	
Findings as to war contracts; AAA Beer Distributing Co. et al.	13458
NAVY DEPARTMENT:	
Executive orders applicable to Navy, cross reference	13452
OFFICE OF DEFENSE TRANSPORTATION:	
Delegations of authority	13458
Direction of traffic movement; freight shipments to Puerto Rico ports	13458
Puerto Rico Office of Defense Transportation orders, interference with administration	13458

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION: Adjustments and pricing orders:	Page
Cinderella Mfg. Co.	13462
Englander Co., Inc.	13463
Ford Motor Co.	13463
Waber Co.	13463
Construction materials and refractories (MPR 592, Am. 1)	13449
Consumer goods other than apparel (MPR 188, Am. 69)	13450
Hawaii, fruits and vegetables (RMPR 373, Am. 42)	13445
Millwork, stock (RMPR 293, Am. 10)	13449
Outerwear garments, women's, girls', children's and toddlers' (RMPR 287, Am. 5)	13449
Regional administrators; delegation of authority (GO 68, Am. 1)	13463
Regional and district office orders:	
Automotive funnels, Cleveland region	13466
Firewood:	
New Hampshire	13477
Upper Peninsula, Mich., area	13467
Fluid milk, West Virginia	13467
Malt and cereal beverages, Jacksonville, Fla., district	13476
Solid fuels:	
Adams, Mass.	13476
Akron, Ohio, area	13464
Ann Arbor, Mich., area	13470
Battle Creek, Mich., area	13473
Boston region (5 documents)	13478, 13479, 13481
Cleveland region	13474
Indianapolis, Ind., area	13482
Kalamazoo, Mich., area	13472
Kokomo, Ind., area	13468
Lancaster, Ohio, area	13468
Lima, Ohio, area	13464
Lorain, Ohio, area	13473
Louisville, Ky., area	13465
Manafield, Ohio, area	13471
Marion, Ind., area	13467
Midland, Mich., area	13469
Winston-Salem, N. C.	13476
Shirts and pajamas, men's and boys' simplified (MPR 332, Am. 3)	13450
Solid fuels (RMPR 122, Am. 38)	13449
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
American Power & Light Co. et al.	13485
Consolidated Electric and Gas Co. et al.	13483
Engineers Public Service Co. et al.	13484
New England Public Service Co.	13485
Pan American Airways Corp.	13483
Wisconsin Power and Light Co.	13485
SOLID FUELS ADMINISTRATION FOR WAR:	
Coal produced in District 8, direction to shippers and industrial consumers	13438
STABILIZATION ADMINISTRATOR, OFFICE OF:	
Support prices, subsidies; termination of butter subsidy	13452

CONTENTS—Continued

WAR PRODUCTION BOARD:	Page
Consent order; Michigan Catholic	13486
Delegations of authority:	
Fuel oil, rationing (Supp. Dir. 1-O, revocation)	13440
Meat, rationing control (Supp. Dir. 1-M, revocation)	13440
Office of Defense Transportation, adjustment to policies (Supp. Dir. 1-F, revocation)	13440
Office of Price Administration, rationing:	
Farm machinery and equipment (Supp. Dir. 1-K, revocation)	13440
Fluid milk shipping containers and covers, and farm fencing (Supp. Dir. 1-P, revocation)	13441
Typewriters (Supp. Dir. 1-D, revocation)	13440
Rubber footwear, rationing (Supp. Dir. 1-N, revocation)	13440
Stoves, new domestic and heating; rationing (Supp. Dir. 1-S, revocation)	13441
Vehicles, new and used commercial; rationing (Dir. 36, revocation)	13441
Newspapers and other users of newsprint (L-240)	13441
Priorities system operation; materials obtained by means of ratings assigned on WPB 646, use by ship chandlers and other ship suppliers (PR 1, Dir. 12)	13441
Rayon civilian items (M-328B, Am. 1 to Sch. J)	13440
Tapioca flour (M-333)	13445
WAR SHIPPING ADMINISTRATION:	
Contracts for carriage on vessels owned or chartered by WSA; uniform tanker voyage charter for private carriage of liquid bulk cargoes	13454

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations amended or added by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

TITLE 3—THE PRESIDENT:	Page
Chapter II—Executive orders:	
8970 ¹	13431
8978 ¹	13431
9204 ²	13431
9266 ¹	13431
9649	13431
9650	13431
TITLE 7—AGRICULTURE:	
Chapter XI—Production and Marketing Administration (Marketing Agreements and Orders):	
Part 973—Milk in Minneapolis-St. Paul, Minn., marketing area	13431

¹ Executive Order 9650.

² Executive Order 9649.

CODIFICATION GUIDE—Continued

TITLE 30—MINERAL RESOURCES:	Page
Chapter VI—Solid Fuels Administration for War:	
Part 602—General orders and directives	13438
TITLE 32—NATIONAL DEFENSE:	
Chapter IX—War Production Board:	
Part 903—Delegations of authority (9 documents)	13440, 13441
Part 944—Regulations applicable to operation of priorities system	13441
Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion:	
Part 4003—Support prices; subsidies	13452
TITLE 34—NAVY:	
Chapter I—Department of the Navy:	
Part 9—Executive orders applicable to the Navy	13452
TITLE 42—PUBLIC HEALTH:	
Chapter I—Public Health Service, Federal Security Agency:	
Part 4—Narcotic addicts (See Part 8).	
Part 8—Narcotic addicts	13452
TITLE 46—SHIPPING:	
Chapter III—War Shipping Administration:	
Part 303—Contracts for carriage on vessels owned or chartered by War Shipping Administration	13454
TITLE 49—TRANSPORTATION AND RAILROADS:	
Chapter II—Office of Defense Transportation:	
Part 502—Direction of traffic movement	13458
Part 503—Administration (2 documents)	13458
TITLE 50—WILDLIFE:	
Chapter I—Fish and Wildlife Service:	
Part 23—Southwestern region national wildlife refuges	13458

Sec.	
973.2	Market administrator.
973.3	Reports of handlers.
973.4	Classification of milk.
973.5	Minimum prices.
973.6	Application of provisions.
973.7	Determination of uniform price to producers.
973.8	Payments to producers.
973.9	Expenses of administration.
973.10	Marketing services.
973.11	Agents.
973.12	Effective time, suspension, and termination.

AUTHORITY: §§ 973.0 to 973.12, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.

§ 973.0 Findings and determinations—
(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing

agreements and marketing orders (7 C.F.R. Cum. Supp., 900.1 et seq.), a public hearing was held upon a proposed marketing agreement and proposed order regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area. Upon the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The issuance of this part regulating the handling of milk in the said marketing area, and all of the terms and conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk and the minimum prices specified in the said part are such prices as will reflect the aforesaid factors, insure a sufficient supply of pure and wholesome milk and be in the public interest;

(3) The said part regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a tentatively approved marketing agreement, upon which a hearing has been held; and

(4) All milk and milk products handled by handlers, as defined herein, are in the current of interstate commerce, or directly burden, obstruct, or affect interstate commerce in milk or its products.

(b) Additional findings. (1) It is hereby found and proclaimed in connection with the execution of a tentatively approved marketing agreement and the issuance of this part regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the pre-war period August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but the purchasing power of such milk for the period January 1924–July 1929, can be satisfactorily determined from available statistics of the Department of Agriculture, and the period January 1924–July 1929 is the base period to be used in connection with the said marketing agreement and this part in determining the purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately \$60,000 per year; and the pro rata share of such expense to be paid by each handler is hereby approved in the maximum amount of 2 cents per hundredweight on all skim milk and butterfat received by such handler from producers during each delivery period and which is disposed of as Class I milk.

(c) Determinations. It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this part) of more than 50 percent of the vol-

ume of milk which is marketed within the said marketing area signed the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further found that:

(1) The issuance of this part is approved or favored by at least two-thirds of the producers who, during the month of July 1945 (said month having been determined to be a representative period), were engaged in the production of milk for sale in the said marketing area; and

(2) The provision of this part providing for the payment to all producers delivering milk to the same handler of uniform prices for all milk delivered by them is approved or favored by at least three-fourths of the producers who, during the month of July 1945 (said month having been determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered, that such handling of milk and milk products by handlers operating in the Minneapolis-St. Paul, Minnesota, marketing area as is in the current of interstate commerce, or as directly burdens, obstructs or affects interstate commerce in milk or its products, shall from the effective date hereof be in compliance with the following terms and conditions:

§ 973.1 Definitions. The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Department of Agriculture" means the United States Department of Agriculture or such other Federal agency as may be authorized to perform the price reporting functions of the United States Department of Agriculture.

(d) "Minneapolis-St. Paul, Minnesota, marketing area", hereinafter called the "marketing area", means the territory within the corporate limits of the cities of Minneapolis, Robbinsdale, and Wayzata in Hennepin County; Columbia Heights in Anoka County; St. Paul and White Bear in Ramsey County; West St. Paul and South St. Paul in Dakota County; together with the following townships and all villages therein; Brooklyn, Crystal Lake, Golden Valley, St. Louis Park, Orono, Excelsior, Minnetonka, Edina, Bloomington, and Richfield in Hennepin County; Fridley in Anoka County; Mounds View, Rose, White Bear, and New Canada in Ramsey County; Grant, Oakdale, Woodbury, Cottage Grove, and Newport in Washington County; and Mendota, West St. Paul, and Inver Grove in Dakota County; all in the State of Minnesota.

(e) "Person" means any individual, partnership, corporation, association, or any other business unit.

(f) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk which is received at a plant, other than an emergency source, from which skim milk or butterfat is shipped to or disposed of within the marketing area as Class I milk.

(g) "Handler" means any person, irrespective of whether such person is also a producer, who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, and who ships to or disposes of within the marketing area as Class I milk all or a portion of the skim milk or butterfat contained in such milk. The term "handler" shall include a cooperative association with respect to the milk of its member producers which it causes to be delivered to the plant of a handler for the account of the association. The term "handler" shall not include a person in his capacity as the operator of an "emergency source" as defined in (h) of this section.

(h) "Emergency source" means a plant from which skim milk and butterfat are received at the plant of a handler, only during the months of July, August, September, October, and November.

(i) "Cooperative association" means any cooperative marketing association of producers which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.

(j) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer; and (2) the processing, packaging and distribution of milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(k) "Market administrator" means the person designated pursuant to § 973.2 as the agency for the administration hereof.

(l) "Delivery period" means a calendar month.

§ 973.2 *Market administrator*—(a) *Designation*. The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers*. The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof.

(3) Prepare and disseminate for the benefit of producers, consumers, and han-

dlers, such statistics and information concerning the operations hereunder as do not reveal confidential information; and

(4) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties*. The market administrator, in addition to the duties hereinafter described shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute, and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary;

(2) Pay out of the funds provided by § 973.9, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office, except as provided by § 973.10.

(3) Keep such books and records as will clearly reflect the transactions provided for therein and surrender the same to his successor or to such other person as the Secretary may designate.

(4) Unless otherwise directed by the Secretary, publicly disclose within 30 days after such nonperformance becomes known to the market administrator, the name of any person who, within 20 days after the date on which he is required to perform such acts, has not (i) made reports pursuant to § 973.3 or (ii) made payments pursuant to § 973.8; and may at any time thereafter so disclose any such name if authorized by the Secretary; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 973.3 *Reports of handlers*—(a) *Periodic reports*. On or before the 8th day after the end of each delivery period, each handler, who purchases or receives milk from producers or associations of producers, with respect to all skim milk and butterfat contained in milk, skim milk, cream, and milk products which were, during such delivery period received from (1) producers; (2) other handlers; (3) own farm production; and (4) any other source, shall report to the market administrator in the detail and on forms prescribed by him as follows:

(i) The receipts at each plant from producers who are not handlers;

(ii) The receipts at each plant from any other handler, including any handler who is also a producer;

(iii) The receipts at each plant from producer-handlers;

(iv) The receipts at each plant from such handler's own farm production;

(v) The receipts at each plant from any other source;

(vi) The utilization of all skim milk and butterfat disposed of; and

(vii) The quantity of skim milk and butterfat on hand at the beginning and end of the delivery period.

(b) *Reports of producer-handlers and handlers who receive no milk from producers*. Producer-handlers and handlers who receive no milk from producers or associations of producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers*. Each handler, not a cooperative association, upon the request of the market administrator shall, within 25 days after the end of the delivery period, submit to the market administrator his producer pay roll for such delivery period which shall show for each producer (1) the total pounds of milk delivered with the average butterfat test thereof, and (2) the net amount of such handler's payments to such producer together with the prices, deductions, and charges involved.

(d) *Verification of reports*. The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and the records of any other handler or person upon whose utilization the classification of milk depends. Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and utilization of all skim milk and butterfat and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content, milk and milk products;

(3) Verify payments to producers; and

(4) Make such examination of operations, equipment, and facilities as the market administrator deems necessary.

§ 973.4 *Classification of milk*—(a) *Basis of classification*. All skim milk and butterfat received in milk, skim milk, cream, and milk products purchased or received by a handler shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization*. Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat disposed of for consumption in the form of milk, skim milk, cream, sweet or sour (including any mixture of cream and milk or skim milk, containing less butterfat than the legal standard for cream), cultured butter-milk, and flavored milk drinks, and all skim milk and butterfat not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat specifically accounted for as used to produce a milk product other than those specified in (1) of this paragraph and as actual plant shrinkage not in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(c) *Responsibility of handlers*. In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the skim milk and butterfat contained in such milk and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I.

(d) *Transfers of milk and cream*. (1) Skim milk and butterfat shall be classified as Class I when disposed of in

the form of milk, skim milk, or cream by a handler (i) to other handlers who receive milk from producers or associations of producers: *Provided*, That if the market administrator is furnished with a statement signed by both the buying and the selling handler that such skim milk or butterfat was used to produce a Class II product, it shall be classified accordingly subject to verification by the market administrator; (ii) to a producer-handler; and (iii) to a handler who purchases or receives no milk from producers or associations of producers.

(2) Skim milk and butterfat, when disposed of by a handler to a plant of a person, other than a handler, who processes or distributes milk or milk products, shall be classified as follows: (i) determine the classification of all skim milk and butterfat received by such person, and (ii) allocate the skim milk and butterfat disposed of by such handler to such person to the highest use classification remaining after subtracting, in series beginning with the highest use classification, the receipts of skim milk and butterfat by such person direct from dairy farmers: *Provided*, That if moved to a plant located more than 100 miles from the marketing area, such skim milk and butterfat shall be classified as Class I if moved in the form of milk or skim milk and as Class II if moved in any other form.

(3) Skim milk and butterfat received by a handler from an emergency source shall be classified in the lowest use classification of the receiving handler.

(e) *Computation of the milk in each class.* For each delivery period the market administrator shall correct for mathematical and other obvious errors the report submitted by each handler and shall compute on the basis of the corrected report the amount of milk disposed of in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received by adding into one sum the total pounds of skim milk and butterfat contained in the milk, skim milk, cream, and milk products received from all sources.

(2) Determine the total pounds of milk in Class I by adding into one sum the total pounds of skim milk and butterfat disposed of in each of the several products of Class I, and the total pounds of skim milk and butterfat unaccounted for or accounted for as actual plant shrinkage in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(3) Determine the total pounds of milk in Class II by adding into one sum the pounds of skim milk and butterfat used to produce each of the several products of Class II and the pounds of skim milk and butterfat accounted for as actual plant shrinkage not in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(4) Determine the classification of milk of producers as follows: (i) Subtract from the pounds of skim milk and butterfat in Class II, the pounds of skim milk and butterfat which were received from sources other than producers, associations of producers, other handlers, own farm production, and emergency sources; (ii) subtract from the remaining pounds

of skim milk and butterfat in Class II the pounds of skim milk and butterfat which were received from emergency sources: *Provided*, That if the receipts of skim milk or butterfat from emergency sources are greater than the remaining pounds of skim milk or butterfat in Class II an amount equal to the difference shall be subtracted from the pounds of skim milk or butterfat in Class I; (iii) subtract from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from other handlers and allocated to each class pursuant to (d) (1) (i) of this section; (iv) subtract pro rata from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from the handler's own farm production; (v) if the remaining quantity of milk contains a greater quantity of skim milk or butterfat than the handler reported having received from producers an amount equal to the difference shall be subtracted pro rata from the remaining pounds of skim milk or butterfat in each class; and (vi) the result shall be known as the "net pooled milk" in each class.

§ 973.5 *Minimum prices*—(a) *Class prices.* Each handler shall, subject to the provisions of (c) and (d) of this section, pay at the time and in the manner set forth in § 973.8 not less than the prices set forth in this paragraph per hundredweight of milk received during each delivery period at such handler's plant.

(1) *For Class I milk.* The price shall be the basic price determined pursuant to (b) of this paragraph plus 50 cents during the months of January, February, March, and April; plus 40 cents during the months of May and June; and plus 70 cents during the months of July, August, September, October, November, and December.

(2) *For Class II milk.* The price shall be that determined by the market administrator as follows: (i) multiply by 3.5 the average wholesale price per pound of 93-score butter at New York as reported by the Department of Agriculture for the delivery period in which such milk was received and add 20 percent thereof; (ii) multiply by 7.7 the average price of spray and roller process non-fat dry milk solids for human consumption, in carlots f. o. b. manufacturing plants as reported for the Chicago area by the Department of Agriculture for the delivery period during which such milk was received; (iii) add into one sum the amounts obtained in (i) and (ii); and (iv) subtract 42 cents therefrom.

(b) *Basic price.* The basic price to be used in determining the price per hundredweight of Class I milk shall be the price for Class II milk computed pursuant to (a) (2) of this section or that derived from either of the formulas set forth in (1) and (2) of this paragraph, whichever is the highest.

(1) The average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following plants or places for which prices are reported to the market ad-

ministrator by the listed companies or by the Department of Agriculture:

Companies and Locations

Borden Co., Mt. Pleasant, Mich.
Carnation Co., Sparta, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., Greenville, Wis.
Borden Co., Black Creek, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Jefferson, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
Borden Co., New London, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) (i) Multiply the average wholesale price of 93-score butter at New York for said delivery period as reported by the Department of Agriculture by six (6); (ii) add 2.4 times the weekly prevailing price of "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, as reported by the Department of Agriculture: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange, the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this paragraph; (iii) divide the resulting sum by seven (7); (iv) add 30 percent thereof; and (v) multiply the resulting sum by 3.5.

(c) *Location differential to handlers.* With respect to milk purchased or received from producers at a plant of a handler located outside the marketing area and which is classified as Class I milk, the price per hundredweight computed pursuant to (a) (1) of this section shall be reduced one-half cent for each full mile that such plant is distant from the marketing area. Such deduction shall be based on the shortest highway distance from such handler's plant to the edge of the marketing area, as determined by the market administrator.

For purposes of this paragraph the milk which is classified as Class I milk during each delivery period shall be considered to have been first that which was received from producers at such handler's plants located within the marketing area, and then that milk which was received from producers at such handler's other plants located nearest to the marketing area.

(d) *Butterfat differentials to handlers.*

(1) If the average butterfat content of the milk disposed of by any handler as net pooled Class I milk is more or less than 3.5 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.5 percent or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent an amount computed by the market administrator as follows: To the average wholesale price per pound of 93-score butter at New York as reported by the Depart-

ment of Agriculture for the delivery period add 25 percent and divide the sum obtained by 10.

(2) If the average butterfat content of the milk disposed of as net pooled Class II milk by any handler is more or less than 3.5 percent, such handler shall add to the Class II price computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent, or shall subtract for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: To the average wholesale price per pound of 93-score butter at New York as reported by the Department of Agriculture for the delivery period add 20 percent and divide the sum obtained by 10.

(e) *Emergency price provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or for any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specific price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

(2) Whenever the Secretary finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the preceding delivery period.

§ 973.6 Application of provisions—

(a) *Handlers who receive no milk from producers.* Sections 973.4, 973.5, 973.7, 973.8, 973.9, and 973.10 shall not apply to the handling of milk by producer-handlers or by handlers whose sole sources of supply are receipts from other handlers which are not cooperative associations of producers.

(b) *Producer-handlers.* Handlers shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of their qualifications as producer-handlers pursuant to § 973.1 (j), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing that milk that affects their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of

the receipt of the evidence and shall be retroactive to the effective date hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(c) *Sales of milk by a producer-handler.* A producer-handler who sells or disposes of skim milk or butterfat to another handler or producer-handler shall be considered a producer with respect to such skim milk or butterfat.

(d) *Handlers who receive milk from two groups of producers.* In the case of a handler who is required by any health authority in the marketing area to separate his producers into two groups and to receive and handle separately the milk received from each group, the market administrator shall compute a uniform price for each group of producers in the manner provided in § 973.7, if the handler files separate reports for each group, and the milk is handled in such a manner and the records of the handler are so kept that the market administrator can verify the utilization of the milk received from each group.

(e) *Payment for excess milk or butterfat.* If a handler after subtracting receipts from his own farm production, from other handlers, from emergency sources, and from other sources, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which has been credited to his producers as having been delivered by them, the market administrator in computing the value of the milk of such handler pursuant to § 973.7 (a) shall add an amount equal to the value of such skim milk or butterfat in accordance with its utilization by the handler as determined pursuant to § 973.4 (e) (4) (v).

§ 973.7 Determination of uniform prices to producers—(a) *Computation of the value of the milk of each handler.* For each delivery period the market administrator shall compute the value of the milk received at all plants by each handler in the following manner:

(1) Multiply the net pooled milk in each class computed pursuant to § 973.4 (e) (4) by the class prices computed pursuant to § 973.5 (a) subject to the differentials set forth in § 973.5 (c) and (d).

(2) Add together the resulting amounts; and

(3) Add the value of any payments to be made pursuant to § 973.6 (e).

(b) *Computation of the uniform price for each handler.* The market administrator shall compute the uniform price per hundredweight for milk received during the delivery period by each handler as follows:

(1) To the value computed pursuant to (a) of this section add an amount equal to the total value of the location differentials computed pursuant to § 973.8 (c).

(2) From the sum obtained in (1) of this paragraph subtract, if the average butterfat content of all milk received from producers by such handler is more than 3.5 percent, or add if such average butterfat content is less than 3.5 percent, an amount computed as follows: multiply the amount by which the aver-

age butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 973.8 (b) and multiply the result by the total hundredweight of milk received from producers.

(3) Adjust the resulting sum by an amount representing the fraction used in adjusting the uniform price for the previous delivery period to the nearest cent.

(4) Divide the result by the total hundredweight of milk received from producers.

(5) Adjust the resulting figure to the nearest cent. This shall be known as the uniform price per hundredweight for each handler for milk of 3.5 percent butterfat content delivered to the marketing area.

(c) *Announcement of class prices.* On or before the 6th day after the end of each delivery period the market administrator shall mail to all handlers and make public announcement of the class prices computed pursuant to § 973.5 (a) and butterfat differentials computed pursuant to § 973.5 (d) and § 973.8 (b).

(d) *Announcement of uniform prices.* On or before the 15th day after the end of each delivery period the market administrator shall notify each handler and make public announcement of the uniform prices computed pursuant to (b) of this section.

§ 973.8 Payments to producers—(a) *Time and method of payment.* (1) On or before the 20th day after the end of each delivery period each handler shall make payment to each producer for milk received from him during the delivery period at not less than the uniform price per hundredweight computed for such handler by the market administrator pursuant to § 973.7 (b), subject to the differentials set forth in (b) and (c) of this section.

(2) On or before the 10th day after the end of each delivery period each handler shall make payment to a cooperative association for milk which it caused to be delivered to such handler for the account of such cooperative association in accordance with the classification of such milk at not less than the class prices set forth in § 973.5 (a), subject to the differentials set forth in § 973.5 (c) and (d), and less the amount of the payment made pursuant to (3) of this paragraph.

(3) On or before the 20th day of each delivery period each handler shall, at the request of the cooperative association, make payment to such association of the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(b) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer, milk having an average butterfat content other than 3.5 percent, such handler in making the payments prescribed in (a) (1) of this section, shall add to the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of butterfat content in milk above 3.5 percent not less

than, or shall deduct from the uniform price per hundredweight for each one-tenth of 1 percent of butterfat content in milk below 3.5 percent not more than an amount computed by the market administrator as follows: to the average wholesale price per pound of 93-score butter at New York as reported by the Department of Agriculture for the delivery period, add 20 percent and divide the resulting sum by ten (10).

(c) *Location differential to producers.* In making payments pursuant to (a) of this section for milk received from producers at a plant located outside the marketing area, each handler shall deduct from the uniform price payable to such producer an amount equal to one-half cent per hundredweight for each full mile that the plant where such milk was received is distant from the marketing area.

(d) *Correction of errors in payments to producers.* Errors in making any of the payments prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors. Any correction affecting all producers delivering to any handler during the period in which such error occurred shall be corrected in such manner as the market administrator shall determine to be equitable, either by (1) adjustment of the account of each individual producer who delivered during such period on the basis of a recomputation of the price of such handler, or (2) by addition or subtraction of the amount of such correction to or from the value of all milk received by such handler in the delivery period during which such error was determined, computed as set forth in § 973.7 (a).

(e) *Statement to producers.* In making the payments required by this section, each handler shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;
(2) The total pounds and the average butterfat content of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (a) and (d) of this section;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under § 973.10, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

§ 973.9 *Expenses of administration—*
(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 18th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 2 cents per hundredweight with respect to all skim milk and butterfat received from producers or cooperative associa-

tions of producers and which is disposed of as Class I milk during such delivery period by such handler, the exact rate to be determined by the market administrator subject to review by the Secretary: *Provided*, That with respect to skim milk and butterfat which is caused to be delivered to a handler by a cooperative association and which is classified as Class I, the expense of administration shall be borne by the handler who receives such skim milk or butterfat from the cooperative association.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handlers pro rata share of expense set forth in this section.

§ 973.10 *Marketing services—*(a) *Deductions for marketing services.* Except as set forth in (b) of this section, each handler shall deduct an amount not exceeding 2 cents per hundredweight (the exact rate to be determined by the market administrator subject to review by the Secretary) from the payments made to producers pursuant to § 973.8 with respect to all milk received by such handler from producers during the delivery period and shall pay such deductions to the market administrator not later than the 18th day after the end of the delivery period. Such money shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association which the Secretary determines to be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act" is actually performing as determined by the Secretary, the services set forth in (a) of this section, no such deduction shall be made.

§ 973.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 973.12 *Effective time, suspension, and termination—*(a) *Effective time.* The provisions hereof or any amendments hereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The Secretary shall suspend or terminate any or all the provisions hereof, whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If upon the suspension or termination of any or all of

the provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate (1) shall continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

Issued at Washington, D. C., this 30th day of October 1945, to be effective on and after the 3d day of November 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20015; Filed, Oct. 30, 1945;
11:06 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 75-2, Amdt. 31]

PART 1410—LIVESTOCK AND MEATS

SET ASIDE BEEF REQUIRED TO BE DELIVERED

War Food Order No. 75-2, as amended (10 F.R. 12841, 13039), is further amended as follows:

1. By deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* The provisions of this paragraph (b) shall not apply to any slaughterer located in the States of Arizona, California, Florida, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

With respect to all other States and the District of Columbia, no federally inspected slaughterer and no slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve, and hold for delivery as directed in paragraph (b) (2) hereof:

(i) 30 percent of the conversion weight of each week's production of beef obtained from steers, heifers, and cows of "U. S. Commercial" grade;

(ii) 40 percent of the conversion weight of each week's production of beef obtained from steers, heifers, and cows of "U. S. Utility" grade (Grade C beef);

(iii) 50 percent of the conversion weight of each week's production of beef obtained from steers, heifers, and cows of cutter and canner grade (Grade D beef);

(2) Deliver to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, before the close of each calendar week, beef of each of the grades specified in paragraph (b) (1) in an amount not less than the amount of beef of such grade required to be set aside, reserved, and held during the previous week.

2. By deleting the item "Canned beef and gravy.....2.00" appearing at the end of the conversion weight table in paragraph (c) (1) and substituting in lieu thereof the following:

Canned beef and gravy (for delivery to the Army).....	2.00
Canned beef and gravy (for delivery to Commodity Credit Corporation).....	1.60

This amendment shall become effective at 12:01 a. m., e. s. t., October 28, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 26th day of October 1945.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 45-19986; Filed, Oct. 29, 1945; 12:27 p. m.]

[WFO 75-4, Amdt. 5]

PART 1410—LIVESTOCK AND MEATS

SET ASIDE VEAL REQUIRED TO BE DELIVERED

War Food Order No. 75-4, as amended (10 F.R. 12843, 13041), is hereby further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* The provisions of this paragraph (b) shall not apply to any slaughterer located in the States of Arizona, California, Florida, Idaho, Montana, Nevada, Oregon, Utah, Washington, or Wyoming. With respect to all other States and the

District of Columbia, no federally inspected slaughterer shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve, and hold for delivery as directed in paragraph (b) (2) hereof, 40 percent of the conversion weight of each week's production of veal graded "U. S. Utility" obtained from calves whose carcasses weigh, with the hide off, from 60 to 275 pounds, both inclusive;

(2) Deliver to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, before the close of each calendar week, veal of each of the grades specified in paragraph (b) (1) in an amount not less than the amount of veal of such grade required to be set aside, reserved, and held during the previous week.

This amendment shall become effective at 12:01 a. m., e. s. t., October 28, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-4, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75 10 F.R. 4649)

Issued this 26th day of October, 1945.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 45-19987; Filed, Oct. 29, 1945; 12:27 p. m.]

[WFO 75-6, Amdt. 2]

PART 1410—LIVESTOCK AND MEATS

SET ASIDE LAMB AND MUTTON REQUIRED TO BE DELIVERED

War Food Order No. 75-6, as amended (10 F.R. 12844, 13041), is hereby further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity; quality; specifications.* The provisions of this paragraph (b) shall not apply to any slaughterer located in the States of Arizona, California, Florida, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. With respect to all other States and the District of Columbia, no federally inspected slaughterer shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve, and hold for delivery as directed in paragraph (b) (2) hereof, the following percentages of the conversion weight of each week's production of mutton of the indicated grades:

Grade:	Set aside percentage
"U. S. Choice".....	20
"U. S. Good".....	20
"U. S. Commercial".....	20
"U. S. Utility".....	20

(2) Deliver to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, before the close of each calendar week, lamb and mutton

of each of the grades specified in paragraph (b) (1) in an amount not less than the amount of lamb or mutton of such grade required to be set aside, reserved, and held during the previous week.

This amendment shall become effective at 12:01 a. m., e. s. t., October 28, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-6, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 26th day of October 1945.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 45-19988; Filed, Oct. 29, 1945; 12:27 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICT 8

As a result of recent production losses, shipments of coal from District 8 during the month of November must be strictly controlled. To effectuate a fair distribution of the available production, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following emergency direction:

1. No shipper of coal produced in District 8 shall ship during the month of November any such coal to any industrial consumer whose days' supply of bituminous coal on the last day of October 1945 was 45 days or more. See the Notice of Direction to All Persons Shipping Bituminous Coal Produced in Districts 1-4, Inclusive, and 6-8, Inclusive, and to Certain Dock Operators, issued October 17, 1945 (10 F.R. 12983).

2. Shippers of coal produced in District 8 are required, notwithstanding the stock limitations set forth in Section 602.715 of SFAW Regulation No. 27, as amended, to reduce shipments during the month of November 1945 on orders which have been placed with them by industrial consumers to the extent necessary to assure that the days' supply of coal of an industrial consumer on November 30, 1945 conforms, so far as practicable, to the following Stock Limitation Table:

Type of consumer	Method of shipment to consumer	
	All rail	Rail and tide-water rail and river
Railroads.....	Days 10	Days 20
All other industrial consumers (including utilities and consumers of special purpose coal).....	12	20

The above table and the provisions of this paragraph do not apply to shipments of coal ex-lake dock.

3. If more than one shipper of coal produced in District 8 is supplying such coal to an industrial consumer, each shipper shall prorate downward shipments on orders which have been placed with him by the industrial consumer to the extent necessary to assure that the days' supply of the industrial consumer on November 30, 1945, conforms, so far as practicable, to the Stock Limitation Table set forth in paragraph 2, above. In no event shall any, or all shippers combined, ship to an industrial consumer more than the amount of coal produced in District 8 required to meet his consumption requirements for the month of November 1945.

4. Industrial consumers are prohibited from receiving during the month of November 1945 any coal which is not permitted to be shipped to them in accordance with the provisions of this direction.

5. No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 29th day of October 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-20016; Filed, Oct. 30, 1945;
11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Department of Commerce, Office of International Trade Operations

Subchapter B—Export Control

[Amdt. 96]

PART 802—GENERAL LICENSES

METAL DRUMS AND CONTAINERS

Section 802.14 *Metal drums and containers "G-MDC"* is hereby revoked. This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)
Dated: October 25, 1945.

WALTER FREEDMAN,
Director,
Requirements and Supply Branch.

[F. R. Doc. 45-19994; Filed, Oct. 29, 1945;
4:41 p. m.]

[Amdt. 97]

PART 804—INDIVIDUAL LICENSES

WEIGHT AND VOLUME TOLERANCE

Section 804.4 *Weight and volume tolerance* is hereby amended in the following particulars:

No. 214—2

Paragraph (d) is hereby revoked.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: October 25, 1945.

WALTER FREEDMAN,
Director,
Requirements and Supply Branch.

[F. R. Doc. 45-19995; Filed, Oct. 29, 1945;
4:41 p. m.]

[Amdt. 98]

PART 804—INDIVIDUAL LICENSES

CONTAINERS

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended in the following particulars:

Paragraph (b) *Containers* is hereby revoked.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: October 25, 1945.

WALTER FREEDMAN,
Director,
Requirements and Supply Branch.

[F. R. Doc. 45-19996; Filed, Oct. 29, 1945;
4:41 p. m.]

[Amdt. 99]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

BLOCKADE CONTROL PERMIT

Section 805.4 *Blockade control permit* is hereby amended to read as follows:

§ 805.4 *Blockade control permit.* (a) Applications for individual license to export commodities set forth in paragraph (b) of this section to:

Portugal
Portuguese Atlantic Islands
Portuguese Guinea
Spain
Spanish Atlantic Islands
Spanish International Morocco and Tangier

will not be considered unless a blockade control permit has previously been issued by appropriate authorities in London, or unless covered by an exception stated in paragraph (c) of this section. License applications will be accepted by the Department of Commerce, Office of International Trade Operations only after notification by the appropriate authorities of the issuance of the permit. Upon receipt of notice of the issuance of the

permit, the exporter will be advised to file a license application. Applications for blockade control permits shall be made in the country of destination by the consignee.

(b) Except as provided in paragraph (c) of this section, the commodities for which a blockade control permit is required are listed below:

Portugal

Tinplate
Wheat, wheat flour and other grains

Portuguese Atlantic Islands

Wheat flour (for Sao Thomo only)
Wheat

Portuguese Guinea

Sugar
Wheat flour

Spain

Animal, vegetable and fish oils, fats, and greases

Basic slag

Beans

Binder twine, rope and other twine (including jute yarn)

Cocoa and cocoa preparations

Coffee

Edible oils

Fertilizers (nonphosphatic) of animal and vegetable origin not chemically prepared; bone, fish and meat meal

Fodder: including hay, cereal, offals, chick-peas, maize, maize meal, barley, oats, pulses

Hemp, soft

Hides and leather (excluding manufactures)

Industrial oilseeds, (resins, cacao, castor, soya, copra, flaxseed, hempseed, kernels, nuts, peanuts, rapeseed, cottonseed, perilla, poppy, sunflower, sesame, babassu, etc.)

Jute, raw (including punga, urena), waste, tissues and manufacture (including bags)

Manila hemp and tow

Nitrogenous fertilizers, natural or synthetic (Chile saltpetre, sulfate of ammonia, calcium cyanamide, etc.)

Petroleum and petroleum products, including asphalt and gilsonite, butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes

Phosphates, natural

Rice and malzena (cornstarch)

Rubber latex

Rubber—raw (including synthetic)

Rubber tires and tubes, except for bicycles and motorcycles

Sisal hemp and tow; kapok

Sugar

Superphosphates

Tin ore, metal scrap

Tinplate

Tree spray, porocide

Wheat, rye, and their flours

Spanish Atlantic Islands

Animal fats and vegetable oils and oilseeds

Coffee

Fertilizers

Fodder, including hay, cereal, offals, chick-peas, maize, maize meal, barley, oats, pulses.

Meat

Petroleum, and petroleum products, including asphalt and gilsonite, butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes

Pork and bacon

Rice
Rubber tires and tubes, except for bicycles and motorcycles
Sugar
Superphosphates
Wheat, rye, and their flours

Spanish Morocco and Tangier

Coffee
Petroleum, and petroleum products, including asphalt and gilsonite, butane, lubricating oils and greases, petrolatum, paraffin wax, white mineral oil for industrial purposes (Schedule B No. 5059.00) but excluding consignments not to exceed four hundred pounds of white mineral oil and similar products intended for pharmaceutical or cosmetic purposes
Sugar

(c) *Exceptions.* The requirements of this section shall not apply to:

(1) Exportations to all destinations subject to the blockade control permit regulations of non-commercial consignments when shipped by mail, provided the commodities so shipped are for the personal use of the consignee or ultimate consignee. When this exception is applicable, the application for license must specify the "personal use".

(2) Exportations of normal trade sample of reasonable quantity, when shipped by mail, to all destinations subject to blockade control permit regulations. Where this exception is applicable the license application must specify that the intended shipment will consist of samples and describe such samples in detail.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: October 25, 1945.

WALTER FREEDMAN,
Director.

Requirements and Supply Branch.

[F. R. Doc. 45-19997; Filed, Oct. 29, 1945; 4:41 p. m.]

[Amdt. 100]

PART 812—LIMITED PRODUCTION LICENSE FOR TRUCKS "LPL"

Section 812.2 *General provisions* is hereby amended by deleting from paragraphs (a) and (b) thereof the number "L-1-e" and substituting therefor the number "L-352".

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: October 25, 1945.

WALTER FREEDMAN,
Director.

Requirements and Supply Branch.

[F. R. Doc. 45-19998; Filed, Oct. 29, 1945; 4:42 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 1 to Schedule J, as Amended Oct. 3, 1945]

SPECIAL PROGRAM FOR RAYON CIVILIAN ITEMS

Section 3290.120j *Schedule J to Order M-328B* is hereby amended in the following respects:

Amend paragraph (h) (1) to read as follows:

(1) He must send two copies of Form WPB-4351 by registered mail to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., within the time stated below. This form must be completely filled out in accordance with its instructions, and each type or construction of rayon fabric, for which relief is sought, must be listed separately in section I. In addition a small sample of each type or construction must be attached bearing the OPA ceiling price for the fabric. Copies of Form WPB-4351 may be obtained from any War Production Board Field office.

Issued this 29th day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-19999; Filed, Oct. 29, 1945; 5:09 p. m.]

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-D, Revocation]

FURTHER DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH REFERENCE TO RATIONING OF TYPEWRITERS

Section 903.5 *Supplementary Directive 1-D* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20019; Filed, Oct. 30, 1945; 11:36 a. m.]

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-F, Revocation]

ADJUSTMENTS TO POLICIES OF OFFICE OF DEFENSE TRANSPORTATION

Section 903.7 *Supplementary Directive 1-F* is hereby revoked.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20020; Filed, Oct. 30, 1945; 11:36 a. m.]

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-K, Revocation]

FURTHER DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH REFERENCE TO RATIONING OF FARM MACHINERY AND EQUIPMENT

Section 903.13 *Supplementary Directive 1-K* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20021; Filed, Oct. 30, 1945; 11:37 a. m.]

PART 903—DELEGATION OF AUTHORITY [Supplementary Directive 1-M, Revocation]

FURTHER DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING CONTROL OF MEAT

Section 903.15 *Supplementary Directive 1-M* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1 and does not affect the authority of the Office of Price Administration to continue the rationing of meat pursuant to Executive Order 9280 and war food orders, issued thereunder.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20022; Filed, Oct. 30, 1945; 11:35 a. m.]

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-N, Revocation]

RATIONING OF RUBBER FOOTWEAR

Section 903.16 *Supplementary Directive 1-N* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20023; Filed, Oct. 30, 1945; 11:35 a. m.]

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-O, Revocation]

RATIONING OF FUEL OIL

Section 903.18 *Supplementary Directive 1-O* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20024; Filed, Oct. 30, 1945; 11:35 a. m.]

PART 903—DELEGATIONS OF AUTHORITY
[Supplementary Directive 1-P, Revocation]

FURTHER DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH REFERENCE TO RATIONING OF FLUID MILK SHIPPING CONTAINERS AND COVERS AND FARM FENCING

Section 903.20 *Supplementary Directive 1-P* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20025; Filed, Oct. 30, 1945;
11:35 a. m.]

PART 903—DELEGATIONS OF AUTHORITY
[Supplementary Directive 1-S, Revocation]

RATIONING OF NEW DOMESTIC COOKING AND HEATING STOVES

Section 903.24 *Supplementary Directive 1-S* is hereby revoked. This revocation is subject to the provisions of paragraphs (f) and (g) of Directive 1.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20026; Filed, Oct. 30, 1945;
11:37 a. m.]

PART 903—DELEGATIONS OF AUTHORITY
[Directive 36, Revocation]

RATIONING OF NEW AND USED COMMERCIAL VEHICLES

Section 903.75 *Directive 36* is hereby revoked, effective December 1, 1945. This revocation does not affect any liabilities incurred for violations of rules, orders, regulations or other actions issued pursuant to the directive.

Issued this 30th day of October 1945.

LINCOLN GORDON,
Program Vice Chairman.

[F. R. Doc. 45-20027; Filed, Oct. 30, 1945;
11:36 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 1, Direction 12]

USE BY SHIP CHANDLERS AND OTHER SHIP SUPPLIERS OF MATERIALS OBTAINED BY MEANS OF RATINGS ASSIGNED ON WPB-646

The following direction is issued pursuant to Priorities Regulation 1:

(a) *What this direction does.* The U. S. Maritime Commission under delegation of authority from WPB has been assigning ratings on Form WPB-646 to ship chandlers and other ship suppliers to enable them to get materials to hold in inventory for sale to certain vessels. This direction tells how the suppliers may dispose of the earmarked stocks obtained by use of these ratings.

(b) *Disposition of earmarked inventories.* Up to December 31, 1945, ship chandlers and other ship suppliers who have obtained ma-

terials or equipment by the use of ratings assigned on Form WPB-646 may sell these items for the maintenance, repair or operation of ocean-going merchant vessels, military vessels, naval vessels, coast guard vessels, commercial fishing vessels, vessels owned or operated by state, county or municipal governments, cargo-carrying vessels engaged in inland water and Great Lakes transportation or river and harbor floating maintenance equipment. Sales for any of these purposes may be made, in spite of any conditions or restrictions imposed on the WPB-646 form issued. Sales for any other purpose may not be made without the written permission of the WPB. Ship suppliers who wish to get permission for sales for purposes not allowed by this direction should write to the U. S. Maritime Commission, Washington, 25, D. C., Ref: WPB-646, giving full information as to the proposed sale and the reasons for making it.

Issued this 30th day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20030; Filed, Oct. 30, 1945;
11:36 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended Oct. 30, 1945]

NEWSPAPERS AND OTHER USERS OF NEWSPRINT

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

- (b) Newspaper.
- (c) Camp papers and free distribution publications.
- (d) Publisher.
- (e) Print paper.
- (f) Use.
- (g) Net paid circulation.
- (h) Inventory.
- (i) Transfer of quotas.

Consumption Quota

- (j) Allowable consumption.
- (k) Computation of consumption quota.
- (l) Carry-over.
- (m) Consumption quotas for certain types of newspapers.
- (n) Allotment to Army and Navy.

Delivery Quota

- (o) Computation of delivery quota.
- (p) Exceptions.
- (q) Certification.
- (r) Inventory reports and copies of orders.
- (s) Inter-company transfers.

Miscellaneous Provisions

- (t) Loans of print paper.
- (u) Applicability of regulations.
- (v) Appeals.
- (w) Communications to the War Production Board.
- (x) Violations.

Schedule I

- (a) The purpose of this schedule.
- (b) Definition of "newsprint".
- (c) Newsprint consumption quotas for persons other than newspaper publishers.

(d) Newsprint delivery quotas for persons other than newspaper publishers.

Scope

§ 3133.6 *Limitation Order L-240—(a) The purpose of this order.* This order does four things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis. Third, Schedule I limits the tonnage of newsprint which a person may use or cause to be used for purposes other than the printing of a newspaper. Fourth, Schedule I limits the tonnage of newsprint which may be ordered or accepted by persons other than newspaper publishers and newsprint suppliers.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling, in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order or any of the items covered by Schedule I, he may ask the War Production Board for an official determination. The War Pro-

duction Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Schedule I, paragraph (c) (3) of this order. Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Schedule I, paragraph (c) (2) of this order. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule I, paragraph (c) (2) of this order and that schedule shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same method which he used in computing his 1941 base tonnages.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper

shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas—(1) Quotas established under different paragraphs.* Quotas established under paragraphs (k) or (m) of this order or the several subdivisions of paragraph (c) of Schedule I are not interchangeable. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Schedule I, and he may not permit any part of his consumption quota established under paragraphs (k) or (m) to be used for any purpose other than a newspaper. Moreover, a consumption quota established under any of the subdivisions of paragraph (c) of Schedule I may not be used for a purpose covered by any other subdivision of that paragraph or for a newspaper. If a newspaper publisher also conducts a job printing business he must keep these two operations separate for quota purposes.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the fourth quarter of 1945 and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota—(1) Base tonnages.* Ascertain separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respec-

tive percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 2% of the amount over 25 tons but not over 125 tons.

(ii) Deduct 4% of the amount over 125 tons but not over 250 tons.

(iii) Deduct 6% of the amount over 250 tons but not over 500 tons.

(iv) Deduct 10% of the amount over 500 tons but not over 1000 tons.

(v) Deduct 12% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* If a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6 $\frac{2}{3}$ tons, since 32-pound paper is 6 $\frac{2}{3}$ % heavier than 30-pound paper.

(9) [Deleted Oct. 30, 1945.]

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) *Consumption quotas for certain types of newspapers.* Excepted from the provisions of paragraph (k) are certain types of newspapers described in this

paragraph (m), whose consumption quotas shall be computed as follows:

(1) *Special types of newspapers.* Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:

(i) Its quarterly consumption of print paper in any one of the first three calendar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is $6\frac{1}{4}$ tons.

(2) *Small newspapers.* During the fourth calendar quarter of 1945 and in each calendar quarter after that, any person may use or cause to be used 10 tons of print paper for a newspaper published weekly or less frequently, $11\frac{1}{4}$ tons of print paper for a newspaper published semi-weekly, $12\frac{1}{2}$ tons of print paper for a newspaper published tri-weekly, $13\frac{3}{4}$ tons of print paper for a newspaper published four times a week, 15 tons of print paper for a newspaper published 5 times a week, $16\frac{1}{4}$ tons of print paper for a newspaper published 6 times a week, or $17\frac{1}{2}$ tons of print paper for a newspaper published 7 times a week. It makes no difference whether he used that much print paper or any print paper in the publication of a newspaper during any previous period.

(3) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; *Provided, however,* That if this figure is in excess of

25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) *Allotment to Army and Navy.* The War Production Board may from time to time delegate to the Army and the Navy authority to add to the consumption quotas of newspaper, magazine, and book publishers the tonnage consumed in publications which are distributed by the Army or Navy to United States Armed Forces personnel (1) in the Continental United States without charge or (2) outside the Continental United States with or without charge. This provision does not cover purchases by military exchanges or service departments as defined in Priorities Regulation No. 17 for distribution within the continental limits of the United States. All newspapers, magazines, and books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

Delivery Quota

(o) *Computation of delivery quota.* In July 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the third and fourth quarters of 1945 and add the ex-quota tonnage, if any, which may have been granted for the third and fourth quarters of 1945. Divide by 6. Do not add any carry-over from preceding quarters.

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on December 31, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the States named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	Nevada.
Arizona.	New Mexico.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

3. *Exclusions.* In computing his monthly base under paragraph (o) (1), and in computing the maximum tonnage which he may have in his inventory on December 31, 1945 in accordance with paragraph (o) (2), a publisher shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the States named on List A above, or (ii) a 50 days' supply if he is located in one of the States named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his permitted consumption for that calendar year.

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the last six months of 1945.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (o) may be granted by the War Production Board upon a written request

for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(q) *Certification.* No mill or other supplier may sell or deliver to any person, and no person may accept, any newsprint for use under Order L-240 or Schedule I of Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (a) of the U. S. Criminal Code, to the seller and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the newsprint ordered; (b) that the newsprint will be used or delivered, or that it is required to replace in inventory newsprint previously used or delivered, under War Production Board Order L-240 or Schedule I to Order L-240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for newsprint to be used under Order L-240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) *Inventory reports and copies of orders.* On and after July 1, 1945, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board:

(1) A monthly statement of his inventory of print paper on Form WPB 4292 within three days after the close of each month, beginning with June 1945.

(2) Copies of all orders for the delivery of print paper placed by him or for his account. Such copies of orders must be mailed within three days after the orders are placed.

These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(s) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(t) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals by newspaper publishers shall be acted upon in accordance with Supplement I of this order.

(w) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(a) *The purpose of this schedule.* This schedule limits the acceptance and use of newsprint (except as provided in paragraph (n) above) by all persons other than the publisher of a newspaper or a newsprint supplier.

(b) *Definition of "newsprint."* "Newsprint" means the grades of paper commonly known as "standard newsprint" and "super-standard newsprint."

(c) *Newsprint consumption quota for persons other than newspaper publishers.* (1) In the fourth calendar quarter of 1945 and in each calendar quarter after that no person may cause to be used in the publication of magazines or books more than 113.3 per cent of the newsprint which he lawfully used or caused to be used for that purpose in the corresponding calendar quarter of 1944 or the second calendar quarter of 1945, or 10 tons, whichever is greatest: *Provided, however,* That any person who did not publish magazines or books in 1942 may not cause any newsprint to be used for such purposes in any quarter in which he is associated directly or indirectly with any person, firm or corporation having a consumption quota under this paragraph.

(2) In the fourth calendar quarter of 1945 and in each calendar quarter after that no person may cause to be used in the publication of shopping guides, free distribution newspapers, want ad publications and free distribution publications in newspaper format more than 110 per cent of the newsprint which he lawfully caused to be used for that purpose in the corresponding calendar quarter of 1944 or the second calendar quarter of 1945, or 10 tons, whichever is greatest. However, no part of a consumption quota under this paragraph may be transferred to a different city or trading area.

(3) In the fourth calendar quarter of 1945 and in each calendar quarter after that no person may use (except for newspapers, magazines, books, shopping guides, free distribution newspapers, want ad publications

and free distribution publications in newspaper format) more than 113.3 per cent of the newsprint which he lawfully used in the corresponding calendar quarter of 1944 or the second calendar quarter of 1945, or 10 tons, whichever is greatest. However, a printer is not limited in the amount of newsprint which he may use for printing (including official Army or Navy post, camp, station or unit newspapers) to be delivered to the Army, Navy, Maritime Commission or War Shipping Administration directly, or as a part of a contract for an item purchased by one of those agencies.

(d) *Newsprint delivery quotas for persons other than newspaper publishers.* No person (other than the publisher of a newspaper or a newsprint supplier) may order or accept delivery of newsprint in any calendar quarter, if he has reason to believe, that by virtue of such order or acceptance his inventory of newsprint will be, on the last day of such calendar quarter, in excess of 33 1/3 per cent of the newsprint which he lawfully used or caused to be used in the preceding calendar quarter, or 60 tons, whichever is greater.

(e) *Transfer of quotas.* Except under circumstances stated in Priorities Regulation No. 7A, the transfer of quotas from one person to another and the acquisition or use of one person's quota by any other person, directly or indirectly, is a violation punishable in accordance with paragraph (x). Quotas established by this order may not be bought or sold under any guise. Thus, for example, if A, a publisher with a newsprint quota under paragraph (c) (1), places his name in the masthead of a magazine, and otherwise identifies himself as its publisher, but B performs most of the customary publishing functions, this is an unauthorized use by B of A's quota.

(f) *Additional restrictions concerning magazines.* (1) The newsprint consumed in reprints containing 40% or more of the editorial content appearing in any issue of a magazine must be charged against the newsprint quota of the publisher from whose magazine the material was reprinted.

(2) Not more than one person's newsprint consumption quota may be used to publish the same or substantially the same magazine.

INTERPRETATION 1: Revoked Dec. 24, 1943.

INTERPRETATION 2: Revoked Dec. 24, 1943.

INTERPRETATION 3: Revoked Dec. 24, 1943.

INTERPRETATION 4

TRANSIT DAMAGE

Paragraph (f) of Order L-240 states in part: "Transit damage shall not be included in a publisher's 'use' of print paper." This provision which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L-240 on December 31, 1942, a publisher has been obliged to charge against his consumption quota only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. However, at all times since the issuance of Order L-240 on December 31, 1942, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Issued Oct. 30, 1944.)

[F. R. Doc. 45-20028; Filed, Oct. 30, 1945; 11:36 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-333, As Amended
Oct. 30, 1945]

TAPIOCA FLOUR

§ 3293.471 *Conservation Order M-333*—(a) *Definitions*. (1) "Tapioca flour" means the starch or farinaceous substance derived from the cassava root (sometimes called yucca or manioc), whether rated in the grade as high, medium or low. The term does not include pearl, flake, unrefined or granulated tapioca.

(2) "Derivatives" means tapioca dextrose and any modification of tapioca flour, obtained either through mixture with other chemicals or other starches and flours, or through modification of the starch itself by hydrolization or chemical reaction. The term "derivatives" does not include pearl, flake, unrefined or granulated tapioca.

(3) "Distributor" means any person who purchases tapioca flour or derivatives for resale.

(4) "Processor" means a manufacturer of derivatives.

(b) *Prohibited deliveries and use*. (1) No person shall use tapioca flour or derivatives, and no person shall accept delivery of tapioca flour or derivatives for use:

(i) In the paper industry as a beater size;

(ii) In the paper industry as a surface or tub size;

(iii) In the textile industry as a warp size, except for:

Synthetic fiber
Combed cotton yarns 40 and finer
Cordage fibers;

(iv) In the textile industry as a finishing or loading medium, except where required to meet specifications of the United States Army or Navy;

(v) As a foodstuff, or as an ingredient in manufacture of prepared food (including the manufacture of pearl, flake or granulated tapioca);

(vi) As an adhesive for posting billboards.

(2) The provisions of paragraph (b) (1) hereof shall not prevent:

(i) Acceptance of delivery or use by any person in any calendar month of not more than 600 pounds of tapioca flour and derivatives in the aggregate.

(ii) The use by any person other than a distributor or processor of material which that person had in inventory on June 19, 1943.

(c) *Limitation on use in plywood manufacture*. No plywood manufacturer may use in any calendar half year, beginning with the half year commencing July 1, 1943, more tapioca flour and its derivatives than he used during the first six months of the year 1943.

(d) *Restrictions on inventories*. No person shall accept delivery of tapioca flour and its derivatives if he then owns or has in his possession a supply of tapioca flour and its derivatives, exceeding one-eighth of the quantity of tapioca flour and its derivatives which he used, or in the case of a distributor resold during the two year period January 1, 1941 to December 31, 1942.

(e) *Exceptions in favor of Government agencies*. The restrictions of paragraphs (b) and (d) shall not be applicable to acceptance of delivery or use by the United States Army or Navy.

(f) *Reports*. Within ten days of the close of each calendar quarter, each distributor and processor shall file Form WPB-3215 with War Production Board.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Forms*. Form WPB-3215 provided for in paragraph (f), has been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(3) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(4) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-333.

Issued this 30th day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20029; Filed, Oct. 30, 1945;
11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 42]

FRESH FRUITS AND VEGETABLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 21 of Revised Maximum Price Regulation 373 is amended as follows:

SEC. 21. *Maximum prices for fresh fruits and fresh vegetables*—(a) *Scope of section and definitions*. This section fixes maximum prices for sales of fresh

* 10 F. R. 6646, 7407, 7794, 7799, 8020, 8069, 8371, 8979, 9273, 9274, 9275, 9466, 9540, 9620, 9618, 9882, 9928, 10085, 10086, 10088, 10125, 10086, 10229, 10437, 11399, 11666, 11753, 12086, 12087, 12087.

fruits and vegetables in the Territory of Hawaii. Paragraph (b) incorporates special pricing provisions to cover broken lot sales, sales by producers in the Island of Oahu, and sales by retailers to institutional buyers. Paragraph (c) establishes maximum prices for sales of mainland fresh vegetables, and paragraph (d) establishes maximum prices for sales of mainland fresh fruits. These two paragraphs, (c) and (d), apply only to sales in the Islands of Oahu, Hawaii, Maui, and Kauai. Paragraph (e) establishes maximum prices for sales of island-grown fresh fruits and vegetables in the Islands of Oahu, Hawaii, Kauai, Lanai, Maui, and Molokai.

(1) *Definitions*. When used in this section, the term:

(i) "Sale at retail" means a sale by any seller to an ultimate consumer.

(ii) A "retailer" is any individual or person, including a producer, who sells a commodity or commodities covered by this section to an ultimate consumer.

(iii) "Sale at wholesale" means a sale by any seller to any buyer for purposes of resale or processing.

(iv) A "wholesaler" is one who acquires commodities covered by this section and who sells the same at wholesale as herein defined.

(v) A "producer", for the purposes of this section, shall mean and include any person engaged in the business of raising and producing natural resource products and specifically the commodities covered by this section and who sells the same in their natural state to any person.

(vi) "Ultimate consumer" means a person who buys commodities for consumption by himself or his family off the premises of the seller.

(vii) "Institutional buyers" means the United States, or any of its political subdivisions; the Army, Navy, Marine Corps, Coast Guard, or any agency of the foregoing; any religious, educational or charitable institution; any institution for the sick, deaf, blind, disabled, aged or insane; any school, hospital, library, hotel, restaurant, licensed boarding house, marine provisioner, and all commercial and industrial users.

(b) *Special provisions*—(1) *Wholesaler's broken lots-sales of fresh fruits and vegetables imported from the mainland*. Wholesale sales of fresh fruits and vegetables imported from the mainland may be made by broken lots, that is, a part of a bag, box or crate, but the aggregate price received from the sale of such parts may not exceed the wholesale ceiling for the entire bag, box or crate. For example, for sales made by the half box, quarter box, etc., the maximum price shall be computed by dividing the wholesale ceiling by two, four, etc.

(2) *Sales by producers in the Island of Oahu of island-grown fresh fruits and vegetables*. In the Island of Oahu specific prices are fixed for sales of island-grown fresh fruits and vegetables by producers. These prices apply to all sales by producers except sales to ultimate consumers. The prices are for roadside delivery at the producer's farm. If a producer delivers fresh produce to the prem-

ises of a buyer, other than an ultimate consumer, or to any point away from his farm at the buyer's direction, he may charge for cartage service at the rates provided by Office of Price Administration regulation. If a producer sells to an ultimate consumer, he may charge retail prices, but no extra charges for cartage or any other service may be made if such charges result in higher prices than the retail maximum prices.

(3) *Sales by retailers to institutional buyers.* (i) The maximum prices for sales of fresh fruits and vegetables by retailers to the United States, or any of its political subdivisions; the Army, Navy, Marine Corps, Coast Guard, or any agency of the foregoing; and to any institution operated by public funds, are the maximum prices for sales at wholesale established in this section.

(ii) In the Island of Oahu the maximum prices for sales of fresh fruits and vegetables by retailers to institutional buyers other than those mentioned in (i) are the maximum prices for sales at retail established in this section, less 10%.

(iii) In the Islands of Hawaii, Kauai, Lanai, Maui, and Molokai, the maximum prices for sales of fresh fruits and vegetables by retailers to institutional buyers other than those mentioned in (i) are the maximum prices for sales at wholesale established in this section. Nevertheless, a retailer may, during any calendar month, use the maximum prices for sales at retail established in this section, if 80% or more of his total dollar sales of fresh fruits and vegetables during the previous calendar month were retail sales to ultimate consumers.

(4) *Gross income tax.* In the case of a sale at wholesale to any buyer who does not pay a retailer's Territorial gross income tax the wholesaler may add to his ceiling prices his tax as is provided in Section 14 of this regulation.

(5) *Extra charges.* Except as otherwise provided in this section, no charges may be made for cartage or any other service rendered, or cost incurred in connection with the sale of the fresh fruits and vegetables covered by this section if such charges result in higher prices than the maximum prices established herein.

(c) *Maximum prices for sales in the Islands of Oahu, Hawaii, Maui, and Kauai of fresh vegetable imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced

to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(2)

	Wholesale maximum prices	Retail maximum prices
Garlic.....	\$0.33 per lb.....	\$0.46
Onions, dry.....	\$3.65 per 50 lb. bag.....	.10
Potatoes, white, size A, large.....	\$5.30 per 100 lb. bag.....	.07½
Beans, mung (certified) 90% certified germination.....	\$38.55 per 100 lb. bag.....	.48

At wholesale for mung beans, \$0.45 per 100 pounds may be added for each 1% of certified germination potential above 90%, and \$0.45 per 100 pounds must be deducted for each 1% of certified germination potential below 90%.

At retail ½¢ per pound may be added for each 1% of certified germination potential above 90% and ½¢ per pound must be deducted for each 1% of certified germination potential below 90%.

To be sold as certified mung beans, the beans must bear the certification of any State Department of Agriculture in the United States. At wholesale they must be sold and delivered in the original container tagged by the packer. At retail they must be sold from the original container with the packer's tag attached and clearly displayed. The tag must state the percentage of germination potential certified and the name of the certifying agency. Beans, Mung (uncertified).

At wholesale, the maximum price for uncertified mung beans is the seller's landed cost multiplied by 1.15, but in no case may the maximum price so computed exceed \$38.55 per 100 pound bag.

At retail, the maximum price for uncertified mung beans is the seller's net cost multiplied by 1.25, but in no case may the maximum price so computed exceed \$0.48 per pound.

(d) *Maximum prices for sales in the Islands of Oahu, Hawaii, Maui, and Kauai of fresh fruits imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(2)

	Wholesale maximum prices	Retail maximum prices
Apples.....	\$5.00 per box.....	Per lb. \$0.19
Grapefruit, all sizes.....	\$5.35 per box.....	.12
Grapes.....	\$4.65 per lug.....	.23
Lemons, all sizes.....	\$7.20 per box.....	.13½
Melons, cantaloupe.....	\$7.65 per crate.....	.14
Melons, honeydew.....	\$4.70 per crate.....	.16½
Oranges:		
252's and larger.....	\$6.15 per box.....	.12
288's.....	\$5.35 per box.....	.10½
344's.....	\$4.10 per box.....	.08
Pears.....	\$7.10 per lug.....	.22
Plums.....	\$5.60 per crate.....	.29

(e) *Maximum prices for sales in the Islands of Oahu, Hawaii, Kauai, Lanai, Maui, and Molokai of island-grown fresh fruits and vegetables.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended November 15, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii, or at the District Offices of the Office of Price Administration, or from the County Agents on each island. "Commercial quality" (CQ) means that stock is of generally good quality and condition and that size and appearance are acceptable to consumers. Generally good quality means that approximately 85% is desirable quality. Stock must not contain more than 10% serious damage nor more than 2% soft rot. "Merchandise quality" (MQ) means produce having not more than 15% serious damage and not more than ½ of this, (or 5%, shall be soft rot. Size and appearance are not considered as important factors in this classification.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) On the Island of Hawaii, where delivery is made by a wholesaler to an institutional buyer, a delivery charge not to exceed 5% of the wholesale maximum price fixed for sales to institutional buyers may be added.

(4) The maximum prices are the prices listed in the following table:

Item	Grade	In the Island of Oahu			In the Island of Hawaii			In the Island of Kauai		In the Island of Lanai		In the Island of Maui		In the Island of Molokai	
		Maximum producer's price	Maximum price at wholesale	Maximum price at retail	Maximum prices at wholesale to—		Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail
					Retail dealers	Institutional buyers									
		Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound
Artichokes.....	MQ	\$0.2125	\$0.25	\$0.35	\$0.20	\$0.21	\$0.28	\$0.20	\$0.28	\$0.20	\$0.28	\$0.20	\$0.28	\$0.20	\$0.28
Asparagus, fresh.....	B	.2125	.25	.35	.20	.21	.28	.20	.28	.20	.28	.20	.28	.20	.28
Asparagus, fresh.....	MQ	.1875	.22	.31	.18	.189	.25	.18	.25	.18	.25	.18	.25	.18	.25
Avocado, Guatemala type.....	A	.1275	.15	.21	.11	.1155	.155	.11	.155	.11	.155	.11	.155	.11	.155
Avocado.....	MQ	.085	.10	.14	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Bamboo shoots.....		.2125	.25	.35	.20	.21	.28	.20	.28	.20	.28	.20	.28	.20	.28
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others except Blue-field.....	CQ	.040375	.0475		.025	.02625		.03		.03		.03		.03	

Item	Grade	In the Island of Oahu			In the Island of Hawaii		In the Island of Kauai		In the Island of Lanai		In the Island of Maui		In the Island of Molokai		
		Maximum price at producer's price	Maximum price at wholesale	Maximum price at retail	Maximum prices at wholesale to—		Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail		
					Retail dealers	Institutional buyers									
		Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	Per pound	
Bananas, hands, Chinese and others except Bluefield	CQ	\$0.053125	\$0.0625	\$0.085	\$0.035	\$0.03675	\$0.05	\$0.04	\$0.055	\$0.04	\$0.055	\$0.04	\$0.055	\$0.04	\$0.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Bluefield	CQ	.040375	.0475		.04	.042		.04		.04		.04		.04	
Bananas, hands, Bluefield	CQ	.053125	.0625	.085	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking	CQ	.068	.08		.06	.063		.06		.06		.06		.06	
Bananas, hands, cooking	CQ	.085	.10	.14	.08	.084	.11	.08	.11	.08	.11	.08	.11	.08	.11
Beans, snap, green string and yellow wax	CQ	.1275	.15	.21	.12	.126	.17	.12	.17	.12	.17	.12	.17	.12	.17
Beans, green, unclassified varieties	MQ	.085	.10	.14	.08	.084	.11	.08	.11	.08	.11	.08	.11	.08	.11
Beans, green lima (pod)	CQ	.0595	.07	.10	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Beans, green lima (shelled)	CQ	.153	.18	.25	.18	.189	.25	.18	.25	.18	.25	.18	.25	.18	.25
Bean sprouts, cleaned	CQ		.14	.20	.14	.147	.20	.14	.20	.14	.20	.14	.20	.14	.20
Beet tops (tubers not to exceed 1 inch)	CQ	.085	.10	.15	.07	.0735	.105	.07	.105	.07	.105	.07	.105	.07	.105
Beets, bunched	CQ	.04675	.055	.08	.03	.0315	.045	.04	.055	.03	.045	.03	.045	.03	.045
Beets, topped	A	.0425	.05	.07	.04	.042	.06	.04	.06	.04	.06	.04	.06	.04	.06
Beets, topped	MQ	.0255	.03	.045	.025	.02625	.035	.025	.035	.025	.035	.025	.035	.025	.035
Bitter melon	CQ	.1275	.15	.21	.08	.084	.115	.11	.155	.11	.155	.11	.155	.11	.155
Blackberries	MQ	.1275	.15	.21	.15	.1575	.21	.15	.21	.15	.21	.15	.21	.15	.21
Broccoli	CQ	.1445	.17	.25	.14	.147	.21	.14	.21	.14	.21	.14	.21	.14	.21
Cabbage, all oriental types, bunched or stalks, including Chinese and Japanese types, green mustard, white stem, chili and swamp (Ung Choy) Feb. 1 to June 30	CQ	.0425	.05	.07	.04	.042	.055	.04	.055	.04	.055	.04	.055	.04	.055
Cabbage, all oriental types, bunched or stalks, including Chinese and Japanese types, green mustard, white stem, chili and swamp (Ung Choy) July 1 to January 31	CQ	.0595	.07	.10	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Cabbage, head, Feb. 1 to June 30	A	.0425	.05	.07	.03	.0315	.045	.04	.055	.03	.045	.03	.045	.03	.045
Cabbage, head, Feb. 1 to June 30	MQ	.02975	.035	.05	.02	.021	.03	.025	.035	.02	.03	.02	.03	.02	.03
Cabbage, head, July 1 to January 31	A	.051	.06	.085	.04	.042	.055	.05	.07	.04	.055	.04	.055	.04	.055
Cabbage, head, July 1 to January 31	MQ	.0425	.05	.07	.03	.0315	.045	.04	.055	.03	.045	.03	.045	.03	.045
Carrots, bunched	CQ	.068	.08	.11	.06	.063	.085	.06	.085	.06	.085	.06	.085	.06	.085
Carrots, topped	A	.085	.10	.14	.08	.084	.11	.08	.11	.08	.11	.08	.11	.08	.11
Carrots, topped	MQ	.0425	.05	.07	.04	.042	.055	.05	.07	.04	.055	.04	.055	.04	.055
Caniflower	CQ	.153	.18	.25	.17	.1785	.24	.17	.24	.17	.24	.17	.24	.17	.24
Celery—Feb. 1 to May 31	CQ	.136	.16	.24	.13	.1365	.19	.14	.21	.14	.21	.14	.21	.14	.21
Celery—June 1 to Jan. 31	CQ	.153	.18	.27	.15	.1575	.22	.16	.24	.16	.24	.16	.24	.16	.24
Celutce	CQ	.085	.10	.15	.10	.105	.15	.10	.15	.10	.15	.10	.15	.10	.15
Chives	CQ	.085	.10	.15	.10	.105	.15	.10	.15	.10	.15	.10	.15	.10	.15
Cocoanuts, husked	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each	Each
Cocoanuts, unhusked		.06375	.075	.10	.055	.05775	.075	.06	.08	.06	.08	.06	.08	.06	.08
		.0425	.05	.07	.0325	.0341	.045	.0375	.05	.0375	.05	.0375	.05	.0375	.05
Corn, green, sweet, trimmed	A & B	.0765	.09	.12	.07	.0735	.095	.08	.105	.08	.105	.08	.105	.08	.105
Corn, green, including field corn	MQ	.0255	.03	.04	.02	.021	.03	.02	.03	.02	.03	.02	.03	.02	.03
Cucumbers	A	.102	.12	.16	.09	.0945	.12	.09	.12	.09	.12	.09	.12	.09	.12
Cucumbers	MQ	.085	.10	.135	.07	.0735	.095	.07	.095	.07	.095	.07	.095	.07	.095
Dasheen (Japanese taro) (1)		.0595	.07	.10	.045	.047	.06	.07	.10	.045	.06	.045	.06	.045	.06
Dasheen (Japanese taro) (2)		.02975	.035	.05	.03	.0315	.04	.035	.05	.03	.04	.03	.04	.03	.04
Eggplant, long (Molokai type)	CQ	.0595	.07	.10	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Eggplant, round type	CQ	.0425	.05	.07	.04	.042	.055	.04	.055	.04	.055	.04	.055	.04	.055
Figs	CQ	.1275	.15	.22	.13	.1365	.19	.13	.19	.13	.19	.13	.19	.13	.19
Ginger	CQ	.1275	.15	.21	.14	.147	.20	.14	.20	.14	.20	.14	.20	.14	.20
Gobo, medium and long stem	CQ	.153	.18	.24	.15	.1575	.20	.15	.20	.15	.20	.15	.20	.15	.20
Grapefruit	CQ	.07225	.085	.115	.07	.0735	.095	.07	.095	.07	.095	.07	.095	.07	.095
Grapes	CQ	.1275	.15	.21	.13	.1365	.19	.13	.19	.13	.19	.13	.19	.13	.19
Kohlrabi, bunched or topped	CQ	.0595	.07	.10	.06	.063	.08	.06	.085	.06	.085	.06	.085	.06	.085
Lemons	CQ	.085	.10	.13	.08	.084	.11	.08	.11	.08	.11	.08	.11	.08	.11
Lettuce, all types, Feb. 1 to June 30	CQ	.0935	.11	.17	.07	.0735	.11	.10	.15	.10	.15	.10	.15	.10	.15
Lettuce, all types, July 1 to Jan. 31	CQ	.136	.16	.24	.11	.1155	.16	.14	.21	.14	.21	.14	.21	.14	.21
Lichee or Loongan, fresh	CQ	.605	.70	.93	.70	.735	.93	.70	.93	.70	.93	.70	.93	.70	.93
Limes	CQ	.17	.20	.27	.18	.189	.24	.18	.24	.18	.24	.18	.24	.18	.24
Loquats	MQ	.255	.30	.42	.30	.315	.42	.30	.42	.30	.42	.30	.42	.30	.42
Lotus Root or Illy root	CQ	.119	.14	.19	.13	.1365	.18	.13	.18	.13	.18	.13	.18	.13	.18
Mangoes, Haden & Pirie	CQ	.2125	.25	.35	.20	.21	.28	.20	.28	.20	.28	.20	.28	.20	.28
Mangoes, all others	MQ	.102	.12	.16	.10	.105	.14	.10	.14	.10	.14	.10	.14	.10	.14
Mountain apples		.1275	.15	.21	.15	.1575	.21	.15	.21	.15	.21	.15	.21	.15	.21
Okra, Chinese or See Qua	CQ	.1275	.15	.20	.10	.105	.13	.12	.16	.12	.16	.12	.16	.12	.16
Okra, English	CQ	.085	.10	.13	.10	.105	.13	.09	.12	.09	.12	.09	.12	.09	.12
Onions, dry	CQ	.068	.08	.105	.07	.0735	.09	.07	.09	.07	.09	.07	.09	.07	.09
Onions, bunching green	CQ	.102	.12	.16	.10	.105	.13	.10	.13	.10	.13	.10	.13	.10	.13
Onions, Kailua bulb bunching	CQ	.119	.14	.19	.12	.126	.16	.12	.16	.12	.16	.12	.16	.12	.16
Oranges	CQ	.0595	.07	.09	.06	.063	.08	.06	.08	.06	.08	.06	.08	.06	.08
Papaya, Solo	A	.034	.04	.06	.04	.042	.06	.04	.06	.04	.06	.04	.06	.04	.06
Papaya, Solo and common	MQ	.02975	.035	.05	.03	.0315	.04	.035	.05	.03	.04	.03	.04	.03	.04
Peaches	MQ	.1275	.15	.21	.15	.1575	.21	.15	.21	.15	.21	.15	.21	.15	.21
Peanuts, cured, in shell	CQ	.1275	.15	.20	.15	.1575	.20	.15	.20	.15	.20	.15	.20	.15	.20
Peas, Chinese	CQ	.425	.50	.70	.35	.3675	.49	.35	.49	.35	.49	.35	.49	.35	.49
Peas, green pod	CQ	.1445	.17	.24	.15	.1575	.21	.15	.21	.15	.21	.15	.21	.15	.21
Peppers, sweet (Bell)	CQ	.153	.18	.25	.15	.1575	.21	.15	.21	.15	.21	.15	.21	.15	.21
Peppers, hot and chile	CQ	.2975	.35	.49	.35	.3675	.49	.35	.49	.35	.49	.35	.49	.35	.49
Persimmons	MQ	.255	.30	.42	.30	.315	.42	.30	.42	.30	.42	.30	.42	.30	.42
Pineapples	CQ	.023375	.04	.05	.035	.03675	.045	.035	.045	.035	.045	.035	.045	.035	.045
Plums	MQ	.17	.20	.27	.18	.189	.24	.18	.24	.18	.24	.18	.24	.18	.24
Poha	CQ	.068	.08	.11	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Pomelo	MQ	.06375	.075	.10	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Potatoes, Irish	A	.04675	.055	.07	.035	.03675	.045	.035	.045	.035	.045	.035	.045	.035	.045
Potatoes, Irish	MQ	.02975	.035	.05	.03	.0315	.04	.035	.05	.03	.04	.03	.04	.03	.04
Pumpkin (Japanese)	CQ	.0425	.05	.07	.035	.03675	.05	.04	.055	.035	.045	.035	.045	.035	.045
Pumpkin, mainland varieties and Kona crepe	CQ	.051	.06	.085	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07

Item	Grade	In the Island of Oahu			In the Island of Hawaii		In the Island of Kauai		In the Island of Lanai		In the Island of Maui		In the Island of Molokai		
		Maximum price at producer's price	Maximum price at wholesale	Maximum price at retail	Maximum prices at wholesale to—		Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail	Maximum price at wholesale	Maximum price at retail
					Retail dealers	Institutional buyers									
		Per pound \$0.068	Per pound \$0.08	Per pound \$0.11	Per pound \$0.06	Per pound \$0.063	Per pound \$0.09	Per pound \$0.06	Per pound \$0.09	Per pound \$0.06	Per pound \$0.09	Per pound \$0.06	Per pound \$0.09	Per pound \$0.06	Per pound \$0.09
Radishes, red, with tops	CQ														
Radishes, Daikon or white winter, with tops	CQ	.0255	.03	.04	.025	.02625	.035	.025	.035	.025	.035	.025	.035	.025	.035
Radishes, Daikon or white winter, topped	CQ	.034	.04	.055	.03	.0315	.04	.03	.04	.03	.04	.03	.04	.03	.04
Rhubarb	CQ	.085	.10	.14	.08	.084	.11	.08	.11	.08	.11	.08	.11	.08	.11
Sesame seed	CQ	.2975	.35	.50	.35	.3675	.50	.35	.50	.35	.50	.35	.50	.35	.50
Sour sop	CQ	.0425	.05	.07	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Soybeans, edible, green, including vines	CQ	.068	.08	.12	.05	.0525	.08	.07	.10	.07	.10	.07	.10	.08	.12
Soybeans, edible, green in pods	CQ	.17	.20	.30	.15	.1575	.22	.15	.22	.15	.22	.15	.22	.20	.30
Spinach, all types	CQ	.085	.10	.15	.07	.0735	.105	.08	.12	.08	.12	.08	.12	.08	.12
Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large (2½ pounds or over)	CQ	.034	.04	.055	.03	.0315	.045	.035	.05	.035	.05	.035	.05	.035	.05
Squash, Chinese, young, small (below 2½ pounds)	CQ	.0765	.09	.125	.06	.063	.085	.07	.10	.07	.10	.07	.10	.07	.10
Squash, Chayote	MQ	.0595	.07	.10	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Squash, hubbard and banana	CQ	.05525	.065	.09	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Squash, Italian	A	.085	.10	.15	.07	.0735	.10	.09	.13	.07	.10	.07	.10	.09	.13
Squash, Italian	MQ	.0595	.07	.10	.05	.0525	.075	.065	.10	.05	.075	.05	.075	.065	.10
Squash, summer	CQ	.102	.12	.17	.09	.0945	.13	.09	.13	.09	.13	.09	.13	.09	.13
Squash, green or acorn	CQ	.085	.10	.14	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Strawberries	CQ	.34	.40	.50	.40	.42	.50	.40	.50	.40	.50	.40	.50	.40	.50
Sweetpotatoes, in standard lugs	AA	.102	.12	.17	.10	.105	.14	.10	.14	.10	.14	.10	.14	.10	.14
Sweetpotatoes	A	.068	.08	.11	.06	.063	.085	.06	.085	.06	.085	.06	.085	.06	.085
	B	.051	.06	.085	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
	MQ	.0255	.03	.045	.025	.02625	.035	.025	.035	.025	.035	.025	.035	.025	.035
Swiss chard, bunched or loose	CQ	.0595	.07	.10	.05	.0525	.07	.05	.07	.05	.07	.05	.07	.05	.07
Tangerines	MQ	.102	.12	.16	.10	.105	.135	.10	.135	.10	.135	.10	.135	.10	.135
Taro, Hawaiian and Chinese, bunched (not for manufacture)	CQ	.02975	.035	.05	.035	.03675	.05	.035	.05	.035	.05	.035	.05	.035	.05
Taro tops or luan, bunched or loose	CQ	.085	.10	.15	.10	.105	.15	.10	.15	.10	.15	.10	.15	.10	.15
Tea bean (Habucha)	CQ	.2125	.25	.30	.25	.2625	.30	.25	.30	.25	.30	.25	.30	.25	.30
Tomatoes—Apr. 1 to Aug. 31 large, wrapped, in standard lugs	A	.119	.14	.18	.12	.126	.16	.12	.16	.12	.16	.12	.16	.12	.16
Large (2 inches minimum diameter)	A	.102	.12	.18	.10	.105	.15	.10	.15	.10	.15	.10	.15	.10	.15
Large, (2 inches minimum diameter)	B	.085	.10	.15	.08	.084	.12	.08	.12	.08	.12	.08	.12	.08	.12
Large or small	MQ	.051	.06	.09	.055	.05775	.08	.055	.08	.055	.08	.055	.08	.055	.08
Egg or plum	CQ	.051	.06	.09	.055	.05775	.08	.055	.08	.055	.08	.055	.08	.055	.08
Tomatoes—Sept. 1 to Mar. 31, large, wrapped, in standard lugs	A	.136	.16	.21	.14	.147	.18	.14	.18	.14	.18	.14	.18	.14	.18
Large (2 inches minimum diameter)	A	.119	.14	.21	.12	.126	.18	.12	.18	.12	.18	.12	.18	.12	.18
	B	.102	.12	.18	.09	.0945	.14	.09	.14	.09	.14	.09	.14	.09	.14
Large or small	MQ	.098	.08	.12	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Egg or plum	CQ	.068	.08	.12	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Turnip tops (tubers not to exceed 1 inch)	CQ	.0595	.07	.10	.07	.0735	.10	.07	.10	.07	.10	.07	.10	.07	.10
Turnips, topped, long white, round white, purple top, Golden Ball and similar types	CQ	.03825	.045	.06	.03	.0315	.04	.035	.045	.035	.045	.035	.045	.035	.045
Turnips, rutabagas, topped	CQ	.034	.04	.055	.03	.0315	.04	.04	.055	.04	.055	.04	.055	.04	.055
Uri (Japanese white cucumber)	CQ	.102	.12	.17	.12	.126	.17	.12	.17	.12	.17	.12	.17	.12	.17
Watercress (tied in 1 lb. bunch)	CQ	.068	.08	.12	.045	.04725	.09	.045	.09	.045	.09	.045	.09	.045	.09
Watermelon	CQ	.068	.08	.10	.06	.063	.08	.06	.08	.06	.08	.06	.08	.06	.08
Yam (Chop Suei) or Farn Quat	CQ	.068	.08	.11	.06	.063	.085	.06	.085	.06	.085	.06	.085	.06	.085
Yam, mountain or Dai See	CQ	.0425	.05	.07	.04	.042	.055	.04	.055	.04	.055	.04	.055	.04	.055

(f) *Records and reports*—(1) Records to be kept. Notwithstanding the provisions of section 11 of this regulation, every person making sales of any of the commodities covered by this section 21 shall on and after the date any such produce becomes subject to this paragraph keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records as follows:

(i) *Persons making sales at wholesale*. Copies of the invoices or sales memoranda given to purchasers as required by subparagraph (3) below. Purchase records showing the date of purchase, name and address of supplier, kind and grade purchased, number of pounds or other unit of purchase, price per unit, total price paid and the quantity of each kind and grade on hand or order at the close of each calendar month.

(ii) *Persons making sales at retail*. Copies of the invoices and sales memoranda received from suppliers.

(2) *Prices to be marked and posted*. At all times any person offering to sell at retail any item of the fresh fruits and vegetables covered by this section shall post his current selling price for the item either on the item or at or near the place

in the store where the item is offered for sale. Of course, this posted selling price must never exceed the retail maximum price fixed for the item under this section.

Retailers must also obtain and post in a conspicuous place, where it can be easily read by the purchasing public, an official list, or lists, of maximum retail prices for fresh fruits and vegetables, whenever such lists are made available by the Office of Price Administration.

(3) *Sales slips and receipts*. (i) Every person selling at wholesale shall give the purchaser, at the time of delivery, an invoice or sales memorandum showing the date of sale, name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold the following: The kind and grade, the number of pounds or other unit of sale as specified in this section, the price per unit and the total price received.

(ii) Every person selling at retail who has customarily given purchasers sales slips or receipts or similar evidences of purchase shall continue to do so. However, upon request from a purchaser every such seller, regardless of previous custom, shall give the purchaser a receipt show-

ing the date of sale, the name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold, the following: The kind and grade, the number of pounds or other unit of sale as specified in this section, the price per unit and the total price received.

Retailers selling to institutional buyers must, in all cases, give a bill of sale or delivery slip containing the following information:

1. Date of sale.
2. Name and address of seller.
3. Name and address of purchaser.
4. Kind and grade of item sold.
5. Number of pounds or other unit of sale as specified in this section.
6. Price per unit and total price received.

This amendment shall become effective as of October 1, 1945.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of October, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19946; Filed, Oct. 29, 1945; 11:28 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS
[RMPR 293, Amdt. 10]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 293 is amended in the following respects:

1. Section 2 (c) is amended to read as follows:

(c) *Transactions not covered by the regulation.* This regulation does not cover sales of special (made-to-order) millwork manufactured according to architects' details, whether the seller manufactures or buys the material used. Such sales are subject to the General Maximum Price Regulation.

On specific construction projects calling for part stock millwork and part special (made-to-order) millwork, the stock item shall be priced according to the provision of this regulation and the special (made-to-order) millwork items shall be priced under the provisions of the General Maximum Price Regulation.

2. Section 31 (b) is amended as follows:

Delete the unnumbered paragraphs headed: "The Burrows Corporation, Portland 3, Maine" and "The Norwood Manufacturing Company, Norwood, Cincinnati, Ohio."

This amendment shall become effective November 5, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20035; Filed, Oct. 30, 1945;
11:42 a. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 38]

SOLID FUELS SOLD AND DELIVERED TO DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 122 is amended in the following respect:

1. Section 1340.254 (c) is amended by adding a new Rule 8 to read as follows:

Rule 8. A dealer in Pennsylvania anthracite, who did not pay a pocket charge to his supplier during December, 1941, and is now paying a duly authorized pocket charge to his supplier, may add to his maximum price otherwise established by this regulation for such anthracite the amount of such charge; *Provided*, That the dealer separately states the amount of such pocket charge on his invoices: *And provided further*, That the anthracite for which the charge is made is kept separate and is not mixed with anthracite for which no such charge is paid to the supplier.

2. Section 1340.260 is amended by deleting the phrase, "after clearance with the Solid Fuels Price Branch in Washington, D. C.," appearing in the first un-

designated paragraph after the phrase "any regional office thereof" and appearing in the last undesignated paragraph after the phrase, "the regional office which issued the order may".

This amendment shall become effective October 29, 1945.

Issued this 29th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19989; Filed, Oct. 29, 1945;
4:06 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 592, Amdt. 1]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 592 is amended in the following respects:

1. Section 13 (a) is amended to read as follows:

(a) *When maximum prices may be revised.* A maximum price originally established in accordance with the provisions of § 1499.154 and sections therein referred to of Maximum Price Regulation 188 or in accordance with the first, second, third, or fourth pricing method (sections 7, 8, 9, or 10 of Maximum Price Regulation 592) may at any time be revised by order (not to apply retroactively):

(1) To make it consistent with the level of maximum prices otherwise established by this regulation.

(2) To reflect savings in indirect costs realized by the manufacturer because of the introduction of the commodity so priced.

2. A new section 16 (b) (3) is added to read as follows:

(3) Or his over-all operations have been conducted at a loss during his most recent representative accounting period or, where, due to the occurrence of a substantial and continuing change in some element affecting costs and profits, a projection of his operations clearly shows that he will be immediately operating his over-all business at a loss. Consideration will not be given, however, to losses due to temporary or nonrecurring factors, inadequate plant utilization, illegal wage payments, excessive overhead, selling and other general costs and other unusual factors.

3. Section 16 (c) (6) is redesignated as section 16 (c) (7), and the reference therein to "subparagraphs (1) to (5)" is changed to "subparagraphs (1) to (6)".

4. A new section 16 (c) (6) is added to read as follows:

(6) Any adjustment granted the manufacturer under paragraph (b) (3) above, shall not exceed an amount sufficient to make the adjusted price equal to total cost for the product or line.

5. Section 16 (f) (1) is amended to read as follows:

(f) *Where to apply for an adjustment.*

(1) A manufacturer whose total sales exceed \$1,000,000 for his most recently completed fiscal or calendar year, or whose total sales are estimated to exceed \$1,000,000 for his current fiscal or calendar year shall file an application for adjustment under this section with the Office of Price Administration, Building Materials and Construction Price Branch, Washington 25, D. C.

This Amendment No. 1 shall become effective November 5, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20037; Filed, Oct. 30, 1945;
11:42 a. m.]

PART 1389—APPAREL

[RMPR 287, Amdt. 5]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 287 is amended in the following respects:

Section 33, Appendix G, is amended in the following respects:

1. In Table II of paragraph (a), *Manufacturers' prices*, the selling price lines for category No. 21 and category No. 22 are amended to read as follows:

Category No.	Selling price line	
	Cotton	All fabrics other than cotton
21.....	\$1.87½	\$3.50
22.....	1.87½	3.50

2. In Table II of paragraph (b), *Manufacturing-retailers' prices*, the selling price lines for category No. 21 and category No. 22 are amended to read as follows:

Category No.	Selling price line	
	Cotton	All fabric other than cotton
21.....	\$3.00	\$5.00
22.....	3.00	5.00

This amendment shall become effective November 5, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20034; Filed, Oct. 30, 1945;
11:42 a. m.]

¹ 8 F.R. 9122, 10304, 10001; 9 F.R. 974, 12590; 10 F.R. 5720.

PART 1389—APPAREL

[MPR 332, Amdt. 3]

SIMPLIFIED MEN'S AND BOYS' SHIRTS AND PAJAMAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 332 is amended in the following respects:

1. The following sections are amended by deleting the phrase "in accordance with" and substituting therefor the phrase "as specified in":

Section 1389.501 (a) first sentence of first undesignated paragraph.

Section 1389.502 (a) (1) (ii).

Section 1389.502 (a) (1) (iii).

Section 1389.502 (a) (1) (v).

Section 1389.505 (b) second sentence of second undesignated paragraph in the notice.

Section 1389.513 (b) (4).

2. Section 1389.501 (b) is amended by adding a new subparagraph (3) to read as follows:

(3) Shirts, commonly known as sport shirts, made in in-and-outer style with convertible collar.

This amendment shall become effective November 5, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20036; Filed, Oct. 30, 1945; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 69]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.154 is amended to read as follows:

§ 1499.154 *Maximum prices for articles of consumers' goods not finally priced before August 1, 1942.* This section shall apply to articles first offered for sale before August 1, 1942, for which no maximum price was finally determined, and to all articles first offered for sale on or after August 1, 1942.

The maximum price for any such article shall be the price determined by the first one of the methods set forth in §§ 1499.155, 1499.157, and 1499.158 which applies to the article. New small-volume manufacturers, as defined in Order No. 4332 under Maximum Price Regulation No. 188, may obtain ceiling prices for their articles under the method provided by that order instead of the methods provided in §§ 1499.157 and 1499.158.

2. Section 1499.156 is hereby revoked.

3. Section 1499.157 is amended to read as follows:

§ 1499.157 *Third pricing method: pricing by comparable articles.* The maximum price of any article which cannot be priced under § 1499.155 and which is comparable to any article produced by the manufacturer for which a maximum price has already been established, shall be the price derived by the pricing formula set forth in this section.

NOTE: The meaning of certain terms used in this section is further explained in subsequent provisions of the section. The terms so explained are in quotation marks the first time that they appear in the text.

(a) *Pricing formula.* To establish a maximum price the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select from his line of "comparable articles" for which maximum prices have already been established, two comparable articles: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If a comparable article has the same unit direct cost as the article being priced, it shall be selected in addition to the comparable articles immediately above and below. If all comparable articles are either above or below, the one closest in unit direct cost shall be selected.

(3) Determine both the average percentage and the average dollar mark-up over unit direct cost for the comparable articles selected.

(4) Apply to the unit direct cost of the article being priced either the average percentage or the average dollar mark-up, whichever will yield the lower price. The resulting price shall be the maximum price.

(Example of the above computation)
Unit direct cost of the article being priced—\$9.00

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar markup for each such article	Average percentage markup for such articles
\$10	\$14	\$4	\$23 (sum of maximum prices). —17 (sum of unit direct costs).
7	9	2	
17	23	6 ÷ 2 = \$3	6 ÷ \$17 = 35.3%

Unit direct cost + average percentage markup = \$9 + \$3.18 = \$12.18.

Unit direct cost + average dollar markup = \$9 + \$3 = \$12.

Maximum selling price of article being priced (the lower of above two sums) \$12.

In calculating the markup over unit direct cost for the comparable articles selected, the manufacturer shall use the maximum prices for those articles applicable to the class of purchaser to whom he sold the largest quantities of those articles. The same class of purchaser shall be used for all the comparable articles. If the class of purchaser to whom he sold the largest quantities is not the same for all of the comparable articles, the manufacturer shall determine which of the comparable articles has the largest sales volume and use the

maximum prices applicable to the class of purchaser to whom he sells that article in largest volume. The maximum price derived by the formula for the article being priced is the maximum price applicable to such largest volume class of purchaser. That price may be adjusted for other classes of purchasers according to § 1499.159.

(b) *Computation of unit direct cost.* To establish the unit direct cost of the comparable articles and of the article being priced, the manufacturer shall compute the cost per unit of direct labor and materials on the basis of the following wage rates, material prices, and operating conditions:

(1) *Wage rates.* The wage rates applicable to any article shall be the straight time wage rates for each class of labor involved in the production of the article prevailing in the manufacturer's plant at the time the report required by this section is filed.

(2) *Material prices.* The prices of materials used in the comparable article and the article being priced shall be the prices being paid by the manufacturer at the time the report required by this section is filed, but not in excess of legal ceiling prices. Material prices must be based on purchases in comparable quantities from the same or corresponding class of supplier for both the comparable article and the article being priced.

(3) *Operating conditions.* Using the wage rates and material prices determined under (1) and (2), the manufacturer shall compute the cost per unit of direct labor and materials for an article according to the methods customarily employed by him in computing his cost. He shall compute this cost on the basis of the same productive techniques, the same labor efficiency and the same volume of production for the comparable articles as for the article being priced.

(c) *Computation of markup—(1) Percentage.* The average percentage markup over unit direct costs shall be calculated by computing the percentage markup between the sum of the unit direct costs and the sum of the maximum prices of the comparable articles selected.

(2) *Dollar markup.* The average dollar markup over unit direct cost shall be calculated by averaging the individual dollar markups between the unit direct costs and the maximum prices of the comparable articles selected.

(d) *Comparable articles.* An article shall be deemed comparable to another article which although differing therefrom by more than minor changes within the meaning of § 1499.155 of this Maximum Price Regulation No. 188, has the same general use as the other article and is recognized by the industry as being the same general type of product, even though different materials and construction are used; except that articles for which maximum prices were established under Order No. 4332 under Maximum Price Regulation No. 188 shall not be deemed to be comparable articles.

(e) *Reports of maximum prices—(1) Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must

be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the article being priced and of any innovation in manufacturing process involved and an explanation of the computation of the cost and the maximum price. It shall also describe each of the comparable articles, giving for each the maximum prices for all classes of purchasers and, if practicable, the volume of production for the three calendar months immediately preceding the filing of the report.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

(2) *Articles first offered for sale during August 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

(3) *Articles first offered for sale on or after September 1, 1942.* Except as provided in the next paragraph of this subparagraph (3), in the case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in (1) prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported.

The report shall not be filed in the National Office, however, but rather in the appropriate District Office, if it is filed in conjunction with an application for an adjustment for which the manufacturer qualifies under Supplementary Order 119; or if the maximum prices of the comparable articles reported were established by a Regional or District Office of the Office of Price Administration.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government the manufacturer may at any time offer for sale, sell, or deliver the article

at a tentative price to such a government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case, he must refund any amounts collected in excess of the price so determined. The manufacturer shall submit the report required in (1) ten days after the formation of the contract. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration the reported maximum price shall stand approved.

4. Section 1499.158 is amended to read as follows:

§ 1499.158 *Fourth pricing method; specific authorization by the Office of Price Administration*—(a) *Maximum prices.* If a maximum price cannot be established under any of the preceding pricing methods of this regulation, the maximum price for sales of an article to a particular class of purchaser shall be the price in line with the level of maximum prices established by this regulation fixed by the Price Administrator or his duly authorized representative. For the purpose of this section, maximum prices established in accordance with Order No. 4332 under Maximum Price Regulation No. 188 shall not be considered to be representative of the level of maximum prices established by this regulation. The maximum price will be fixed by an order establishing a maximum price or a method of determining maximum prices. The order may also establish maximum prices for sales of the article by persons other than the manufacturer. Maximum prices so established for sales by persons other than the manufacturer supersede maximum prices fixed by other regulations for such sales.

(b) *Reports of maximum prices.* Before offering to make any sale for which a maximum price must be established under this section, the manufacturer shall submit a report in duplicate applying for the establishing of a maximum price or prices for his sales of the article. In the case of consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.166), the manufacturer shall submit the report to the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located.

The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this section, and the proposed maximum price together with the facts which support the proposed maximum price. If the manufacturer applies for approval of a pricing formula for a line or group of related articles, he shall also include a statement of the pricing formula he proposes for such articles and the reasons why such a pricing formula will establish maximum prices in line with the level of maximum prices established by this regulation.

The manufacturer shall also submit a sample of the article being priced, if practicable. The sample should not be forwarded, however, until the manufac-

turer has been advised where to send it. If it is not practicable to submit a sample, the manufacturer shall submit with his application in lieu of a sample, a photograph, blueprint, or other illustration of the article being priced. In addition, the manufacturer shall submit such other relevant information to supplement his report as the Office of Price Administration may require.

Upon issuance of the order by the Price Administrator or his duly authorized representative, the manufacturer may offer the article for sale in accordance with the terms of the order. Authority to offer an article for sale and make deliveries before an order has been issued under this section, may be given by the Office of Price Administration by letter or telegram. Upon receipt of such an authorization the manufacturer may offer the article for sale and deliver the article in accordance with the terms of that authorization. Such an authorization will be given only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer shall submit the report required in the above paragraph of this paragraph (b) ten days after the formation of the contract. The manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price, to such government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. The price shall remain tentative until the maximum price has been determined in the manner provided in this regulation.

NOTE: Notwithstanding the above provisions, certain orders issued under § 1499.159b require the manufacturer to file a report with the National Office of the Office of Price Administration, Washington, D. C. These orders and the articles to which they apply are:

Order No. 1470—New Metal Cots and Double Deck Beds.

Order No. 1509—Upholstered Sofa Beds, Studio Couches, and all other Upholstered Dual Purpose Sleeping Equipment.

Order No. 1849—Inner Constructions for Sofa Beds, Studio Couches, and all other Upholstered Dual Purpose Sleeping Equipment.

Order No. 3145—War Bicycles.

Order No. 3261—Upholstered Household Furniture covered with a fabric not furnished by the manufacturer.

5. Section 1499.158a is amended to read as follows:

§ 1499.158a *Delegation of authority.* Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may act on reports filed under § 1499.157; may issue orders under §§ 1499.158 and 1499.159c establishing maximum prices in accordance with the terms of those sections; and may, in accordance with § 1499.158, authorize manufacturers to offer or deliver articles prior to the issuance of an order under that section.

6. Section 1499.159 (a) is amended to read as follows:

(a) *Price differentials.* Every manufacturer shall continue all his allowances, discounts, and other price differentials in effect in March 1942. In the case of articles priced under §§ 1499.155, 1499.157, or 1499.159c of this Maximum Price Regulation No. 188, every manufacturer shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one general class of purchaser to reflect all allowances, discounts, and other price differentials which he had the established practice of making during March 1942, or which were established for his sales by an order under § 1499.158. If a manufacturer does not have an established differential for sales to a particular class of purchaser or on particular terms or conditions of sale, he must apply under § 1499.158 for the establishment of maximum prices for such sales.

7. Section 1499.159 (b) is amended by deleting the reference to § 1499.156 contained in the last sentence of that section.

This amendment shall become effective on the 5th day of November 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20033; Filed, Oct. 30, 1945;
11:42 a. m.]

Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Rev. Directive 83]

PART 4003—SUPPORT PRICES, SUBSIDIES TERMINATION OF BUTTER SUBSIDY

Directive 83 (10 F.R. 13076) is amended and revised to read as follows:

The Secretary of Agriculture and the Price Administrator having submitted to me certain information and recommendations with respect to termination of the subsidy on butter and a corresponding increase in the maximum prices established for butter, I hereby find that the approval of those recommendations will effectuate the policies established by Executive Orders 9250, 9328 and 9599.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9620 of September 20, 1945 (10 F.R. 12033), and by the directive of October 13, 1945, issued by the Director of War Mobilization and Reconversion (10 F.R. 12812); *It is hereby ordered:*

1. The Reconstruction Finance Corporation is authorized and directed to terminate payments to manufacturers and creameries of the subsidy of five cents per pound of butter, effective October 31, 1945.

2. The Price Administrator, with the concurrence of the Secretary of Agriculture, is authorized and directed, upon the

termination of such subsidy payments, to increase by an appropriate amount all maximum prices established by Revised Maximum Price Regulation 289 and to permit sellers at retail covered by Maximum Price Regulations 422 and 423 to recalculate their maximum prices for butter; *Provided*, That no such increase in maximum prices and no such privilege of recalculation shall become effective with respect to any seller of butter until, subject to such reasonable exemptions as may be provided for by the Price Administrator, such seller has filed a report showing the number of pounds of butter he has on hand and has paid to the Treasurer of the United States an amount equal to five cents for each such pound of butter.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp. E.O. 9599, 10 F.R. 10155; and E.O. 9620, 10 F.R. 12033)

Issued and effective this 29th day of October 1945.

J. C. COLLET,
Stabilization Administrator.

[F. R. Doc. 45-19991; Filed, Oct. 29, 1945;
4:18 p. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 9—EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS APPLICABLE TO THE NAVY

CROSS REFERENCE: For discontinuance of certain defensive sea areas tabulated in § 9.3 see Executive Order 9650, *supra*.

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 8—NARCOTIC ADDICTS

- Sec.
- 8.1 Definitions.
 - 8.2 Prisoners; entitlement to industrial good time allowance.
 - 8.3 Prisoners; forfeiture and restoration of good conduct or industrial good time allowances.
 - 8.4 Continuation as ex-prisoner.
 - 8.5 Prisoners, ex-prisoners, and probationers; cash and clothing furnished upon discharge.
 - 8.6 Prisoners, ex-prisoners, and probationers; transportation furnished upon discharge.
 - 8.7 Voluntary patients; admission.
 - 8.8 Contraband.

AUTHORITY: §§ 8.1 to 8.8, inclusive, issued under secs. 215, 341-345 inclusive, 58 Stat. 690, 698-702, 42 U.S.C., Supp., 216, 257-261 inclusive.

§ 8.1 *Definitions.* When used in this part:

(a) "Act" means the Public Health Service Act, approved July 1, 1944, 58 Stat. 682.

(b) "Habit-forming narcotic drug" or "narcotic" has the meaning prescribed in section 2 (j) of the act, i. e., "opium and coca leaves and the several alkaloids derived therefrom, the best known of these alkaloids being morphine, heroin, and

codeine, obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp and its various derivatives, compounds, and preparations, and peyote in its various forms."

(c) "Addict" has the meaning prescribed in section 2 (k) of the act, i. e., "any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction."

(d) "Hospital" means the United States Public Health Service Hospital at Lexington, Kentucky, or the United States Public Health Service Hospital at Fort Worth, Texas, and such other hospitals operated by the United States Public Health Service as may be hereafter designated by the Surgeon General as being especially equipped for the accommodation of addicts.

(e) "Prisoner" means an addict who has been sentenced to confinement upon conviction of an offense against the United States, including convictions by general courts-martial or by consular courts.

(f) "Probationer" means an addict who has been placed on probation by any court of the United States which has imposed as one of the conditions of such probation that he submit himself for treatment until discharged as cured.

(g) "Voluntary patient" means an addict who signs an application requesting, agreeing, and consenting to submit to treatment and who receives care and treatment at a hospital.

(h) "Ex-prisoner" means a prisoner whose sentence has expired and who, prior to the expiration thereof, applies for and receives further care and treatment.

(i) "Patient" means a "prisoner," "ex-prisoner," "probationer," or "voluntary patient" who is an inmate of a hospital.

(j) "Good conduct allowance" refers to commutation of sentence for good conduct provided by the Act of June 21, 1902, as amended, Title 18, U. S. Code, sec. 710, made applicable by section 343 of the Public Health Service Act to addicts confined in any institution in execution of a judgment or sentence imposed upon conviction of an offense against the United States.

(k) "Industrial good time allowance" refers to the commutation of sentence for employment in industry provided by section 8 of the act of May 27, 1930 (Title 18, U. S. Code, sec. 744h), made applicable by section 343 of the Public Health Service Act to addicts confined in any institution in execution of a judgment or sentence.

(l) "Cure" means, with respect to any patient, that, in the opinion of the medical officer in charge, he is no longer an addict.

(m) "Discharge," with respect to any patient, means release from the hospital pursuant to direction of the medical officer in charge.

(n) "Bureau of Prisons" means the Bureau of Prisons in the Department of Justice.

§ 8.2 *Prisoners; entitlement to industrial good time allowance.* (a) The Surgeon General shall designate industries, and supporting activities, employment in which may form the basis for industrial good time allowances pursuant to this section.

(b) All prisoners regularly assigned by the medical officer in charge to such industries or activities shall be eligible for industrial good time allowances in addition to good conduct allowances, except parole or conditional-release violators while serving the balance of sentences originally imposed, and prisoners assigned to segregation quarters.

(c) The standard industrial good time allowance shall be:

(1) 2 days per month for the first year during which the prisoner is so assigned; 4 days per month during the second, third, and fourth years; 5 days per month during the fifth and succeeding years;

(2) One-half of the foregoing allowances when regularly assigned on a part-time basis.

(d) Allowances at less than the standard rate may be made a condition of the assignment to the designated industries or activities of (1) prisoners serving their second or subsequent terms under sentences of more than one year, (2) prisoners transferred from other institutions for disciplinary reasons or (3) parole or conditional-release violators while serving new sentences.

(e) The medical officer in charge shall either allow or disallow industrial good time to those eligible. Allowances shall be credited for each calendar month as earned. Where computations are made for fractions of a month, resulting allowances of a fraction of a day shall be considered as a full day. The award of industrial good time shall be subject to the approval of the Director of the Bureau of Prisons.

(f) Upon recommendation of the medical officer in charge, and approval by the Surgeon General and the Director of the Bureau of Prisons, prisoners who have performed extraordinarily meritorious service may be granted additional industrial good time allowances; the total industrial good time allowance, however, shall not exceed three days for each month of employment in designated industries or duties for the first year or part thereof, or five days for each such month in any succeeding year or part thereof.

§ 8.3 *Prisoners, forfeiture and restoration of good conduct or industrial good time allowances; deductions from term of sentence; partial or total restoration.*

(a) When the medical officer in charge has reason to believe that a prisoner has violated the rules of the hospital, thereby warranting a forfeiture of deductions from sentence for good conduct or industrial good time, or both, he shall appoint a trial court, to be composed of three officers of the hospital to investi-

gate the alleged violation. The prisoner shall be notified of the investigation and given an opportunity to cross-examine all witnesses, unless, in the opinion of the trial court, such cross-examination is not feasible, and he shall be permitted to call such witnesses as the court may deem necessary and proper. The prisoner may request the assistance of an officer of the Service to assist him in presenting his case. At the conclusion of the investigation, the trial court shall make formal findings of fact, and, if violations are found, recommendations as to the extent of the forfeiture to be imposed. The medical officer in charge may order further proceedings or upon the basis of the findings of the trial court that one or more violations have occurred shall determine the amount of the good conduct or industrial good time allowances that the prisoner shall forfeit. The determination of the medical officer in charge shall be transmitted through the Surgeon General to the Director of the Bureau of Prisons for approval.

(b) The medical officer in charge may recommend a partial or total restoration of forfeited good conduct or industrial good time allowances. Such recommendation, with reasons therefor, shall be transmitted through the Surgeon General to the Director of the Bureau of Prisons for approval.

§ 8.4 *Continuation as ex-prisoner.* When the medical officer in charge, upon examination of a prisoner not less than one month prior to the expiration of his maximum sentence, determines that the prisoner is still an addict and may be cured of such addiction by further treatment, he shall notify the prisoner, on a form prescribed by the Surgeon General, of the advisability of submitting to further treatment and of the estimated maximum time necessary to cure him of his addiction.

Such prisoner may apply for further treatment, on a form prescribed by the Surgeon General, signifying that if his application is accepted, and in consideration of such acceptance, he agrees and consents to submit to care and treatment for the estimated maximum period necessary to cure him or until such earlier date on which he is certified as cured, and to comply with any regulations or rules which may be adopted governing the operation of the hospital and his conduct therein.

§ 8.5 *Prisoners, ex-prisoners, and probationers; cash and clothing furnished upon discharge.* Every prisoner, ex-prisoner, and probationer shall, in the discretion of the medical officer in charge, be furnished upon discharge with cash in amounts not exceeding similar allowances currently made to Federal prisoners on release from a penal, correctional, disciplinary or reformatory institution, and with suitable clothing.

§ 8.6 *Prisoners, ex-prisoners, and probationers; transportation furnished upon discharge.* Every prisoner, ex-prisoner, and probationer shall be furnished with transportation, by the cheapest usually

traveled route, to the place of conviction or of bona fide residence within the continental United States, or to such other place within the continental United States as, in the opinion of the medical officer in charge, may afford the best opportunity for permanent rehabilitation.

§ 8.7 *Voluntary patients; admission.* A person seeking admission as a voluntary patient to hospitals of the Service shall submit an application on a form prescribed by the Surgeon General and a medical certificate by a qualified physician as to the addiction of the applicant, the physical and mental condition of the applicant, and such other information as may be pertinent. The Surgeon General shall cause the applicant to be examined, shall determine whether he is an addict and whether he may be cured of his addiction by care and treatment in a hospital, shall estimate the maximum time necessary to effect such cure, and shall notify the applicant of such determinations.

If an applicant is determined to be eligible for admission, he shall signify in writing that if his application is accepted, and in consideration of such acceptance, he agrees and consents to submit to care and treatment for the maximum period which has been estimated to be necessary to cure him or until such earlier date on which he is certified as cured, to pay for his subsistence, care, and treatment at rates fixed by the Surgeon General, if required by the Surgeon General, and to comply with any regulations or rules which may be adopted governing the operation of the hospital and the conduct of voluntary patients treated therein.

§ 8.8 *Contraband.* Any article or thing not routinely furnished by the institution to patients or authorized by law or by hospital authorities to be in possession of patients, including any letter or message intended to be received by an inmate of the hospital and introduced by persons other than those authorized by law or by hospital authorities, is contraband.

Effective date; prior regulations superseded. The regulations in this part shall become effective upon the date of their publication in the FEDERAL REGISTER, and shall supersede the regulations issued pursuant to sections 6 and 11 of the act of January 19, 1929 (45 Stat. 1086, 1087, 21 U.S.C. 226, 231) and sections 1 of the Acts of June 23, 1936, May 14, 1937, March 28, 1938, and June 26, 1940, respectively, (49 Stat. 1840, 50 Stat. 150, 52 Stat. 134, 54 Stat. 586, 7 respectively).¹

Dated: October 23, 1945.

[SEAL]

WARREN F. DRAPER,
Acting Surgeon General.

Approved: October 26, 1945.

WATSON B. MILLER,
Federal Security Administrator.

[F. R. Doc. 45-20014; Filed, Oct. 30, 1945;
11:05 a. m.]

¹ 42 C.F.R. and Cum. Supp., Part 4.

TITLE 46—SHIPPING

Chapter III—War Shipping
Administration

[G. O. 2, Supp. 7]

PART 303—CONTRACTS FOR CARRIAGE ON
VESSELS OWNED OR CHARTERED BY THE
WAR SHIPPING ADMINISTRATIONUNIFORM TANKER VOYAGE CHARTER FOR PRI-
VATE CARRIAGE OF LIQUID BULK CARGOES

As of November 1, 1945, § 303.2 *Uniform tanker voyage charter party "Warshipoilvoy"* (General Order 2, Supp. 1) is hereby revised to read:

§ 303.2 *Uniform tanker voyage charter for private carriage of liquid bulk cargoes, "Warshipoilvoy" (Revised) 11/1/45*. (a) On and after November 1, 1945 or as soon thereafter as printed forms shall be available, all voyage charters or trip charters entered into on behalf of the War Shipping Administration for the private carriage (as distinct from common carriage) of petroleum and/or its products in bulk on vessels operated by or on behalf of the War Shipping Administration shall, except as hereinafter provided, be on the form designated "Warshipoilvoy" (Revised) 11/1/45*.

(b) Agents shall have the said "Warshipoilvoy" (Revised) form of charter party printed on one page in type no smaller than six point, the Preamble and Part I being completely on the face of the form and Part II being completely on the reverse of the form, and agents shall maintain an adequate supply of such charters.

(c) Agents may upon advice to the War Shipping Administration and upon previous approval by it incorporate special provisions in Part I of the charter party appropriate and necessary for the transportation of other liquid bulk cargoes, dry cargoes or for the particular vessel or trade. Special provisions are generally authorized by existing and future tanker operations regulations, rate orders, and rate advices. Other special provisions may be authorized by letter or other written communication from the Director, Tanker Operations Division, War Shipping Administration.

(d) The right is reserved to approve other forms of voyage charters and make general amendments or amendments appropriate to specific trades.

(e) "Warshipoilvoy (Revised)" charter parties shall be in the following form:

TANKER VOYAGE CHARTER PARTY

Contract No. _____

Form No. 104 (Rev.)
Warshipoilvoy (Rev.) 11/1/45

PREAMBLE

Charter Party made as of _____, 194____, at _____ by and between the United States of America acting by and through the Administrator, War Shipping Administration Owner/Chartered Owner/Disponent Owner* (hereinafter called the "Owner") of the good _____ MS/SS* _____ (hereinafter called the "Vessel") and _____ Charterer (hereinafter called the "Charterer").

*Strike out inapplicable words.

The Vessel shall proceed with all convenient dispatch to the port or ports of loading, or so near thereto as she may safely get, always afloat, and there receive from the Charterer or supplier the cargo described in Part I, and being so loaded shall forthwith proceed as ordered on signing bills of lading to the port or ports of discharge, or so near thereto as she may safely get always afloat; and there discharge the cargo; all subject to the terms, provisions, exemptions and limitations contained or incorporated in this Charter Party, which shall include the foregoing preamble and Parts I and II. In the event of a conflict, the provisions of Part I shall prevail over those contained in Part II to the extent of such conflict.

Each of the provisions of this Charter Party shall be and be deemed severable, and if any provision or part of any provision should be held invalid, illegal or unenforceable, the remaining provisions or part or parts of any provision shall continue in full force and effect.

PART I

A. Description and position of vessel.

Net Registered Tonnage _____
Total Deadweight _____ tons of 2,240
lbs. each on _____ draft in salt water
on assigned summer freeboard.
Capacity for cargo _____ bbls.*
of 42 American gallons each at 60° F. or
_____ tons* of 2,240 lbs. each
(10% more or less, Vessel's option). (*Strike
out inapplicable words.)
Classed _____
Colled _____
Now _____
Last two cargoes _____

B. Cargo. _____ (insert commodity). Unless otherwise stated, this Charter Party is for a full and complete cargo, that is the quantity the Vessel can carry if loaded to her minimum permissible freeboard for the voyage, but not exceeding what the Vessel can, in the Master's judgment, reasonably stow and carry over and above her tackle, apparel, stores, and furniture, sufficient space to be left in the expansion tanks to provide for the expansion of the cargo. In no event shall Charterer be required to furnish cargo in excess of the quantity stated as the Vessel's capacity for cargo plus 10% of that quantity. If less than a full cargo is to be carried, the commodity and quantity should be inserted and the quantity stated shall represent the minimum quantity which the Charterer is required to supply.

C. Loading range _____
Readiness date _____
Cancelling date _____
D. Discharging range _____
E. Total laytime in running hours _____
F. Freight rate _____
Freight payable at _____
G. Demurrage per hour _____
H. Special provisions.
1.

In witness whereof the parties hereto have executed this agreement, in triplicate, as of the day and year first above written.

Witness the signature of:

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION
By _____
By _____

Witness the signature of:

By _____

PART II

1. *Warranty*. The Owner shall, before and at the commencement of the voyage, exercise due diligence to make the Vessel seaworthy, properly manned, equipped, and supplied for and during the voyage, and to make the pipes, pumps, and heater coils tight, staunch, and

strong and in every respect fit for the voyage, and to make the tanks, holds, and other spaces in which cargo is carried fit and safe for its carriage and preservation.

2. *Time for naming loading port*. The Charterer shall name the loading port twenty-four (24) hours prior to the Vessel's readiness to sail from the last previous port of discharge or from the bunkering port for the voyage, or upon signing this Charter, if the Vessel has already sailed. Any extra expense incurred by reason of the Charterer's delay in furnishing loading port orders shall be paid for by the Charterer and any time thereby lost to the Vessel shall count as used laytime.

3. *Readiness and canceling date*. Laytime shall not commence before the readiness date named in Part I, unless otherwise provided in this Charter, or unless the Charterer accepts a notice of readiness or orders or permits the Vessel to berth before that date, or otherwise waives the provisions of this paragraph. If the Vessel is not ready to load by 4:00 p. m. (local time) on the canceling date named in Part I, the Charterer shall have the option of canceling this Charter by giving the Owner notice of such cancellation within twenty-four (24) hours after the canceling date; otherwise this Charter shall remain in full force and effect. The Charterer may in its notice of cancellation specify that it will nevertheless accept the Vessel if she is ready to load on or before a date or time that Charterer may designate in such notice in which event the Owner may at its option either treat this Charter Party as cancelled or tender the Vessel on or before the date named by the Charterer in its notice, whereupon this Charter shall remain in full force and effect.

4. *Notice of readiness and commencement of laytime*. When the Vessel has arrived at the port of loading or discharge and is ready to load or discharge, a notice of readiness shall be tendered to the Charterer or its agent by the Master or Agent by letter, telegraph, wireless or telephone. The Vessel shall be deemed ready within the meaning of this clause whether she arrives during or outside of usual business hours, whether she is in or out of berth or whether or not she has ballast water or slops in her tanks. Laytime shall commence either at the expiration of six (6) running hours after tender of notice of readiness, Vessel in or out of berth, except that any delay to the Vessel in reaching her berth caused by the fault of the Vessel or Owner shall not count as used laytime; or immediately upon the Vessel's arrival in berth (i. e. finished mooring when at a seaload or discharging terminal and all fast when loading or discharging alongside a wharf) with or without notice of readiness, whichever first occurs.

5. *Laytime*. The number of running hours specified as laytime in Part I shall be permitted the Charterer for loading, discharging, and used laytime; but any delay due to breakdown or inability of the Vessel's facilities to load or discharge the cargo within the time allowed shall not count as used laytime. If regulations of the Owner prohibit loading or discharging of the cargo at night, time so lost shall not count as used laytime; if the Charterer, shipper or consignee, or the port authorities prohibit loading or discharging at night, time so lost shall count as used laytime. The Vessel shall have the right to sail from all ports immediately upon the completion of loading or discharging whether or not laytime has expired.

6. *Safe berth. Shifting*. The Vessel shall load and discharge at any safe place or wharf, or alongside vessels or lighters reachable on her arrival, which shall be designated and procured by the Charterer, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat, any lighterage being at the expense, risk and

peril of the Charterer. The Charterer shall have the right of shifting the Vessel at ports of loading and/or discharge from one safe berth to another on payment of all towage and pilotage shifting to the next berth, charges for running lines on arrival at and leaving that berth, wharfage and dockage charges at that berth, additional agency charges and expense, customs overtime and fees, and any other extra port charges or port expenses incurred by reason of using more than one berth. Time lost to the Vessel on account of shifting shall count as used laytime except as otherwise provided in WSA Rate Orders and Rate Advances.

7. *Pumping In and Out. Hoses.* (a) The cargo shall be pumped into the Vessel at the expense, risk and peril of the Charterer, and shall be pumped out of the Vessel at the expense of the Vessel, but at the risk and peril of the Vessel only so far as the Vessel's permanent hose connections, where delivery of the cargo shall be taken by the Charterer or consignee. The Vessel after discharging shall, if requested by the Charterer, clear shore pipelines of oil by pumping water through them, the time consumed to count as used laytime. The Vessel shall furnish her pumps and the necessary steam for discharging in all ports where the regulations permit of fire on board, as well as necessary hands. Should regulations not permit fires on board, the Charterer or consignee shall supply, at its expense, all steam necessary for discharging as well as loading, but the Owner shall pay for steam supplied to the Vessel for all other purposes. If cargo is loaded from lighters, the Vessel, if permitted to have fires on board, shall, if required, furnish steam to lighters at Charterer's expense for pumping cargo into the Vessel.

(b) Hoses for loading and discharging shall be furnished by the Charterer and shall be connected and disconnected by the Charterer, or at the option of the Owner, by the Owner at the Charterer's risk and expense. Laytime shall continue until the hoses have been disconnected.

(c) Unless notation or exception is made in writing on the bill of lading, or other shipping document before departure of the vessel from the dock or place at which the said cargo is delivered, receipt of the cargo shall be deemed prima facie evidence of right delivery of the entire cargo as described in the bill of lading; further, that upon failure or refusal by the Charterer or its representative to execute or except to the ullage reports prepared by the vessel, the figures stated in said ullage reports shall be deemed prima facie correct and binding upon the parties hereto.

8. *Products excluded. Flashpoint.* (a) No product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A.S.T.M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one hundred twenty-two degrees Fahrenheit (122° F.). Note.—The distillation test shall be made by A.S.T.M. Method identified as D-88 current at the time shipment is made. When products other than Naphtha or Gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.)).

(b) No petroleum or its products have a flashpoint under 150° Fahrenheit (Closed

Cup Abel Test) shall be loaded from lighters but this clause shall not restrict the Charterer from loading or topping off crude oil from vessels or barges inside or outside the bar at any port or place where bar conditions exist.

9. *Freight.* (a) Full freight to the discharging port named in Part I or declared by the Charterer in accordance with this Charter shall be completely earned on all cargo as loaded and the Owner shall be entitled to receive and retain such freight irrevocably under all circumstances whatsoever ship and/or cargo lost or not lost, whether or not the cargo is damaged or unsound, or in the event the voyage is abandoned or broken up.

(b) The freight shall be at the rate stipulated or incorporated in Part I based on the intake quantity as shown by the Inspector's Certificate of Inspection, the services of the Petroleum Inspector to be arranged and paid for by the Charterer who shall furnish the Owner's Agent with a copy of the Inspector's Certificate.

(c) Freight, less any advances made to the Master at the port or ports of loading, shall, unless otherwise agreed in Part I, be paid in full without discount in United States currency to the Owner's Agent at the Agent's place of business upon receipt by the Agent of figures indicating the quantity of cargo loaded as provided in sub-paragraph (b) above. No deduction in freight shall be made for water and/or sediment contained in the oil.

(d) If, by mutual agreement between the parties hereto, the port or ports of discharge declared in accordance with the Charter Party are changed subsequent to the Vessel's sailing, the freight shall be as specified in the applicable War Shipping Administration Rate Orders or Rate Advances, on the basis of the port or ports at which the cargo is discharged in accordance with the said agreement; or, in the event the Vessel or cargo is lost or the voyage abandoned or broken up, on the basis of the port or ports to which the parties agreed that the vessel would be sent. The Charterer agrees to reimburse the Owner for all expenses resulting from the change of ports over and above the expenses that would have been incurred had the Vessel proceeded direct to the port or ports of actual discharge.

10. *Deadfreight.* Should the Charterer fail to supply or load the quantity or cargo stated in Part I the Vessel may at the Master's option and shall upon request of the Charterer proceed on her voyage; *Provided*, That the tanks in which cargo is loaded are sufficiently filled in the judgment of the Master to put her in a seaworthy condition. In that event deadfreight shall be completely earned and payable on the difference between the quantity loaded and the quantity specified in Paragraph B of Part I.

11. *Demurrage.* Charterer shall pay demurrage per running hour and pro rata for a part thereof at the rate stipulated in Part I for all time that loading and discharging and used laytime as elsewhere herein provided exceeds the allowed laytime herein specified. If, however, demurrage shall be incurred at ports of loading and/or discharge because of fire or explosion in or about the plant, or because of breakdown of machinery or loading or discharging facilities of the Charterer, shipper or consignee of the cargo, the rate of demurrage shall be reduced to one-half the rate stipulated in Part I hereof per running hour and pro rata of such reduced rate for part of an hour for demurrage so incurred.

12. *Dues, wharfage, taxes.* The Vessel shall be free of any wharfage, dockage, quay dues or similar charges at all loading and discharging ports. Entrance and clearance fees whether measured by the volume of cargo or not, towing and tug charges, pilotage, dues, and other usual port charges on the Vessel

shall be paid by the Owner. All other dues, taxes, assessments, and charges on the cargo shall be paid by the Charterer including but without limitation any habilitation tax, customs overtime, taxes on freight at loading or discharging ports as well as any unusual taxes, assessments or governmental charges whether in effect at present or whether imposed on the Vessel or freight in the future and whether or not measured by the volume of the cargo, shall be paid by the Charterer, except as otherwise provided in W. S. A. Rate Orders or Rate Advances.

13. *Advances.* Cash shall be advanced by Charterer to the Master or Owner's Agents if required for ordinary disbursements at ports of loading at current rates of exchange. The Charterer shall not be responsible for the application of such advances.

14. *Ice.* The Vessel shall not be ordered to or bound to enter any icebound port or place or any place where lights, lightships, marks or buoys on Vessel's arrival are or are likely to be withdrawn by reason of ice or where there is risk that ordinarily the Vessel will not be able on account of ice to enter, reach or leave the place. The Vessel shall not be obliged to force ice. If on account of ice the Master considers it dangerous to enter or remain at any loading or discharging place for fear of the vessel being frozen in and/or damaged, he shall have the liberty to sail to another place or port which is free from ice and at which there are facilities for loading or discharging cargo and there await Charterer's further instructions. The whole of the time occupied from the time the Vessel is diverted by reason of ice or other conditions until her arrival at an ice-free port as well as any detention by reason of ice or any of the above causes shall be paid for by the Charterer at the demurrage rate stipulated in Part I.

15. *Quarantine.* (a) Should the Charterer send the Vessel to any port or place where a quarantine exists, any delay thereby caused to the Vessel shall count as used laytime; but should the quarantine not be declared until the Vessel is on passage to such port, the Charterer shall not be liable for any resulting delay. The Owner shall be entitled to all the liberties specified in Clause 28.

(b) If the Vessel, prior to or after entering upon this Charter, has docked or docks at any wharf which is not rat-free or stegomyia-free, she shall before proceeding to a rat-free or stegomyia-free wharf, be fumigated by the Owner at his expense, except that if the Charterer ordered the Vessel to the infected wharf he shall bear the expense of fumigation.

16. *Cleaning.* (a) The Owner shall clean the tanks, pipes, and pumps of the Vessel to the reasonable satisfaction of the Charterer's Inspector. Charterer's attention is called to the last two successive cargoes (stated in Part I) carried or to be carried by the Vessel preceding her entering upon this Charter and, if after steaming or butterworth upon Charterer's request, the Charterer or its Inspector requires further cleaning, the Owner has the option either to perform further cleaning or to withdraw the Vessel from the service and cancel this Charter. Acceptance of the Vessel by the Charterer or loading the cargo shall be a complete fulfillment of the Owner's obligations under this clause.

(b) If the Vessel may not pump ballast water or slops overboard or otherwise dispose of them at or en route to the port of loading, the Charterer shall provide facilities for that purpose and charges for handling, storage or disposal of ballast water and/or slops shall be for the Charterer's account. Time consumed discharging ballast water or slops shall not count as laytime. Any delay by the Charterer in furnishing facilities for the disposal of ballast water or slops shall count as laytime.

17. *Heating.* If heating of the cargo is requested by the Charterer, the Owner shall

exercise due diligence to maintain the temperatures requested. Notwithstanding any other provision herein the Owner shall not be responsible if such temperatures are not maintained by reason of any cause beyond the Owner's control and the laytime and demurrage provisions herein shall remain in full force and effect. The burden of proving the failure to exercise due diligence shall be on the Charterer or person claiming damage or other relief. Whenever the Owner's failure to maintain temperatures is excused under this or any other provision of this Charter, Charterer shall assume all risks of delay during discharge due to the nature or condition of the cargo and shall pay demurrage if any.

18. *General exceptions clause.* Neither the Vessel nor the Master or Owner shall be or shall be held liable for any loss of or damage or delay to the cargo or for any failure in performing hereunder arising or resulting from:—Any act, neglect or default of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the vessel; barratry; fire, unless caused by the personal design or neglect of the owner; collision; stranding; perils, dangers or accidents of the seas or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk or any loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, shipper, consignee, owner of the goods or holder of the bill of lading, their agents and representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts or any latent defect in hull, machinery, equipment or appurtenances; unseaworthiness of the vessel whether existing at the beginning of the voyage or developing during the voyage unless caused by want of due diligence on the part of the Owner to make the vessel seaworthy or to have her properly manned, equipped, and supplied; leakage; shrinkage; evaporation; change in quality of the cargo; handling or transportation losses; difference between actual or reported intake and outturn quantities; stowage or contact with or leakage from other cargo; discoloration; contamination; deterioration; any consequence arising out of shipping more than one grade of cargo; or from any other cause arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss of or damage or delay to or failure to discharge or deliver the cargo arising or resulting from:—Act of God; act of war; act of public enemies, pirates or assailing thieves; arrest or restraint of princes, rulers or people; seizure under legal process provided bond is promptly furnished to release the vessel or cargo; strikes, lockouts, stoppage or restraint of labor from whatever cause whether partial or general; or riot or civil commotion. No exemption afforded the Charterer under this clause shall relieve the Charterer of or diminish its obligations for payment of any sums due the Owner under other provisions of this Charter.

19. *Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo, shippers, consignees, or owners of the cargo shall contribute with the Owner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving ship is owned or operated by the owner, salvage shall be paid for as fully as

if the salving ship or ships belong to strangers.

20. *Both to blame collision clause.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the Master, mariner, pilot or the servants of the Owner in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner against all loss or liability to the other or non-carrying ship or her owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her owners to the owners of said cargo and set off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying ship or Owner. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

21. *General average.* General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

22. *Deviation clause.* The Vessel shall have liberty to call at any ports in any order, to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress, to deviate for the purpose of saving life or property or of landing any ill or injured person on board, and to call for fuel at any port or ports in or out of the regular course of the voyage. Any salvage shall be for the sole benefit of the Owner.

23. *Limitation of liability.* (a) Any provision of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force. Nothing in this charter shall operate to limit or deprive the Owner of any statutory exceptions or limitation of liability on the theory of personal contract or otherwise.

(b) The Owner and the vessel in all matters arising under this Charter Party or any bill of lading issued hereunder shall be entitled to the like privileges, rights, and immunities as are contained in Sections 3 (6), 4, and 11 of the Carriage of Goods by Sea Act of the United States approved April 16, 1939.

(c) Neither the Vessel or Owner, nor any corporation owned by, subsidiary to or associated or affiliated with the Vessel or Owner shall be liable to answer for or make good any loss or damage to the cargo occurring at any time and even though before loading on or after discharge from the Vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by the Owner's design or neglect.

24. *Bills of lading.* Bills of lading in the form appearing below for cargo shipped shall be signed by the Master as requested. Any bill of lading signed by the Master or Agent of the Owner shall be without prejudice to the terms, conditions and exceptions of this Charter and shall be subject to all such terms, conditions and exceptions. The Charterer shall indemnify the Owner, the Master, and the Vessel from all consequences or liabilities that may arise from the Charterer or its agents or the Master or Vessel's Agents signing bills of lading or other documents inconsistent with this Charter or from any irregularity in papers supplied by the Charterer or its agents, or from complying with any orders of the Charterer or its agents.

25. *Lien.* The Owner shall have an absolute lien on the cargo for all freight, dead freight, demurrage and costs, including attorney's fees, of recovering the same, which lien shall continue after delivery of the cargo into the possession of the Charterer, or of the holders of any bills of lading covering the same, or of any storage agent.

26. *Agents.* The Owner shall appoint Vessel's agents at all ports.

27. *Assignment.* Subject to the approval of Owner, the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

28. *Liberty clauses.* (a) In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the Vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner may, when practicable, have the Vessel call and discharge the cargo at another or substitute port declared or requested by the Charterer. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof

as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Owner shall be freed from any further responsibility. For any service rendered to the cargo as herein provided the Owner shall be entitled to a reasonable extra compensation.

(b) The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

(c) In addition to all other liberties herein the Owner shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

29. *Priority.* All agreements of the Owner contained in this Charter Party shall be subject to any orders or instructions of priority or requisition issued by the United States Government or the Government of the flag of the Vessel or any agencies thereof, or the requirement of naval or military authorities or other Agencies of Government.

30. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

31. *Refund.* Notwithstanding any of the provisions of this Charter, the Owner may repay, refund or remit all or any part of the freight, deadfreight, demurrage or any other charges if in the judgment of the Owner, whose decision shall be final and conclusive, the charterer is entitled to relief.

BILL OF LADING

Shipped in apparent good order and condition by _____ on board the _____ Motorship _____ Steamship _____ Whereof _____ is Master, at the port of _____ a quantity said to be _____ tons/barrels/gallons of _____ the quantity, measurement, weight, gauge, quality, nature, value and condition of the cargo unknown to the Vessel and the Master, to be delivered at the port of _____ or so near thereto as the Vessel can safely get, always afloat, unto _____

_____ or order on payment of freight at the rate of _____ This shipment is carried under and pursuant to the terms of the Charter dated _____ between _____ and _____ as Charterer, and all the terms whatsoever of the said Charter except the rate and payment of freight

specified therein apply to and govern the rights of the parties concerned in this shipment.

If this Bill of Lading is a document of title to which the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, or similar legislation giving statutory effect to the International Convention for the Unification of Certain Rules relating to Bills of Lading at Brussels of August 25, 1924, applies by reason of the port of loading or discharge being in territory in which the said Act or other similar legislation is in force, this Bill of Lading shall have effect subject to the provisions of the said Act or other similar legislation, as the case may be, which shall be deemed incorporated herein, and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act or other similar legislation. If any term of this Bill of Lading is repugnant to the said Act or other similar legislation as so incorporated, such terms shall be void to that extent but no further.

In Witness Whereof, the Master has signed Bills of Lading of this tenor and date, one of which being accomplished, the others will be void.

Dated at _____ day of _____ Master

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL]

E. S. LAND,
Administrator.

OCTOBER 29, 1945.

[F. R. Doc. 45-20011; Filed, Oct. 30, 1945; 10:55 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 99]

PART 97—ROUTING OF TRAFFIC

REROUTING OF TRAFFIC; APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of October, A. D. 1945.

It appearing, that upon representations from the Office of Defense Transportation, and due to the fact that certain railroads have recently been unable to transport promptly carload traffic offered to them so as to properly serve the public; and that an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people; it is ordered, that:

Rerouting of carload freight traffic and empty cars; appointment of agent. (a) Homer C. King, Deputy Director, Office of Defense Transportation, Washington, D. C., is hereby designated and appointed an Agent of the Interstate Commerce Commission and vested with authority to divert or reroute all carload freight traffic and empty freight cars from the line of any railroad or railroads subject to the Interstate Commerce Act, which in his opinion cannot currently accept and

move such traffic or empty cars, over the line or lines of any other railroad or railroads less congested which are more able to handle the traffic or empty cars. Such rerouting or diversion shall be made regardless of the routing shown on the bill of lading designated by either shipper or carrier. Such diversion or rerouting shall be made by said Agent either at point of origin or as soon as possible after the shipment has left the point of origin.

(b) As Agent he is authorized to set up, subject to the approval of the Commission, an Advisory Committee on which shall be at least one representative of the Office of Defense Transportation, and one representative of the Association of American Railroads.

(c) As Agent he is hereby directed to avail himself of the facilities of the Association of American Railroads, its various departments, field forces, records, and reports.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Application.* The provisions of this order shall apply to intrastate as well as interstate commerce.

(g) *Effective date.* This order shall become effective at 12:01 a. m., November 1, 1945.

(h) *Expiration date.* This order shall expire at 11:59 p. m., April 30, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, Sec. 402, 418, 41 Stat. 476, 485, Secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that a copy of this order and direction shall be served upon each State railroad regulatory body, all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-20031; Filed, Oct. 30, 1945; 11:37 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 1, as Amended, Partial Revocation]

PART 503—ADMINISTRATION DELEGATIONS OF AUTHORITY

Pursuant to Executive Orders 8989, as amended, 9156, and 9214; *It is hereby ordered, That:*

(1) Sections 503.2, 503.3 and 503.11 of Administrative Order ODT 1, as amended (8 F.R. 6001, 7285, 7603, 9034, 9571, 13398; 9 F.R. 7506, 12422) and Supplementary Administrative Orders ODT 1-2 (8 F.R. 7620), 1-3 (8 F.R. 9037), 1-4 (8 F.R. 10788), 1-7A (10 F.R. 9595), and 1-8A (10 F.R. 9595), be, and they are hereby, revoked effective December 1, 1945.

(2) Section 503.6 of Administrative Order ODT 1, as amended (8 F.R. 9631), be, and it is hereby, revoked effective October 29, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097)

Issued at Washington, D. C., this 29th day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-19992; Filed, Oct. 29, 1945; 4:35 p. m.]

[General Order ODT 41, Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

FREIGHT SHIPMENTS TO PORTS IN PUERTO RICO

Pursuant to Executive Orders 8989, as amended, 9156, and 9214, General Order ODT 41, §§ 502.175 to 502.183, inclusive (8 F.R. 9570), is hereby revoked effective November 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097)

Issued at Washington, D. C., this 29th day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-20010; Filed, Oct. 30, 1945; 10:29 a. m.]

[Administrative Order ODT 20, Revocation]

PART 503—ADMINISTRATION

INTERFERENCE WITH ADMINISTRATION OF OFFICE OF DEFENSE TRANSPORTATION ORDERS IN PUERTO RICO

Pursuant to Executive Orders 8989, as amended, 9156, and 9214, Administrative Order ODT 20, §503.405 (9 F.R. 2613), is hereby revoked effective November 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097)

Issued at Washington, D. C., this 29th day of October, 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-20009; Filed, Oct. 30, 1945; 10:29 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NA- TIONAL WILDLIFE REFUGES

HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA, HUNTING REGU- LATIONS

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1104; 18 U.S.C. 145), as amended, and § 12.9 of the regulations for the Administration of National Wildlife Refuges dated December 19, 1940 (5 F.R. 5284), as amended, the following is ordered:

Section 23.409 *Havasu Lake National Wildlife Refuge, Arizona and California*, is further amended by deleting the paragraph headed "Area No. 1" and inserting in lieu thereof the following:

Area No. 1. That part of the Refuge lying between the south line extended of Sections 17 and 18, T. 3 N., R. 27 E., San Bernardino Meridian, and the line extended between T. 14 and T. 15 N., Gila and Salt River Meridian.

Dated: October 22, 1945.

WARD T. BOWER,
Acting Director.

[F. R. Doc. 45-19993; Filed, Oct. 29, 1945; 4:41 p. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 128]

AAA BEER DISTRIBUTING CO. ET AL.

FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of AAA Beer Distributing Co. et al., Omaha, Nebraska. Case No. S-3245.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 76th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of a labor dispute involving the Central States Drivers Council of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and certain concerns engaged in the transportation of goods, articles and commodities in the Middle-Western States.

I find that the motor transportation of goods, articles or commodities by any of the concerns involved in the above dispute, to or from any plant, mine or facility equipped for the manufacture,

production or mining of any articles or materials which may be required or useful in the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, pursuant to any contract, whether or not with the United States, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 29th day of October 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[F. R. Doc. 45-20008; Filed, Oct. 30, 1945; 10:45 a. m.]

FEDERAL COMMUNICATIONS COM- MISSION.

STAR BROADCASTING CO., INC., ET AL.

NOTICE OF DESIGNATION FOR HEARINGS OF RE- LATED GROUPS OF APPLICATIONS (STANDARD BROADCAST)

On October 23, 1945, the Commission designated for hearing a total of 231 applications for (1) new standard broadcast stations in various localities in the United States and (2) changes in assignments of existing broadcast stations. These consolidated groups involve a total of 61 hearings. These applications were consolidated because of obvious problems of objectionable interference.

Due to the unprecedented number of applications now pending, in consolidating the various groups it was not possible in every instance for the Commission to determine the interference which may be expected with existing broadcast services or marginal problems of interference with other applications for proposed stations. In some cases, therefore, specific issues covering such problems will not be included among the other issues upon which notices of hearing are to be promulgated. Therefore, if any licensees or applicants believe that the granting of any of the applications involved in these hearings would adversely affect their existing or proposed broadcast services due to the probability of objectionable interference, such parties may file petitions requesting intervention and the enlargement of the issues in such hearings, supported by appropriate engineering studies to show such objectionable interference, as defined by the Commission's Standards of Good Engineering Practice. All such petitions will be given careful consideration by the Commission.

The applications involved in the above action of the Commission are as follows:

Star Broadcasting Co. Inc. (B1-P-3979), Geneva, New York; for new station on 1240 kc, 250 watts, Unlimited. To be consolidated with the following: The Finger Lakes Broadcasting System (Docket No. 6604), Geneva, N. Y.; WARC, Inc. (Docket 6605), Rochester, N. Y.; Rochester Broadcasting Corp. (Docket 6606), Rochester, N. Y.; Seneca Broadcasting Corp. (Docket No. 6607), Rochester, N. Y.

Tennessee Radio Corp., Nashville, Tenn., for reinstatement of application (Docket 6193) for new station on 1240 kc, 250 watts, U.; Murfreesboro Broadcasting Service, Mur-

freesboro, Tenn., for new station on 1240 kc, 250 watts, Unlimited time. To be consolidated with: Nashville Radio Corp. (Docket 6108); Capitol Broadcasting Co. (Docket 6669), both for new stations at Nashville, on 1450 kc. Tennessee Broadcasters (Docket 6648); J. W. Birdwell (Docket 6649). All for new stations at Nashville on 1240 kc.

Donald Flamm (B1-P-4056); The Metropolitan Broadcasting Service, both for new stations at New York, N. Y., on 620 kc, 5 KW, U.; WAGE, Inc. (WAGE), Syracuse, N. Y., 620 kc, 5 KW, Unlimited time, DA; WCAX Broadcasting Corp. (WCAX) (B1-P-3961), Burlington, Vt., 620 kc, 5 KW, U; DA. To be consolidated with: Newark Broadcasting Corp. (Docket 6190), Newark, N. J., for a new station on 620 kc, 5 KW, U.

Copper City Broadcasting Corp. (Docket 6744), to be consolidated with: Utica Broadcasting Co. Inc. (Docket 6140); Ronald B. Woodyard (Docket 6683); Utica Observer Dispatch, Inc. (Docket 6043); Midstate Radio Corp. (Docket 6141). The application of Copper City Broadcasting Corp. is for a new station at Rome, N. Y., on 1450 kc, 250 watts, Unlimited. The remaining four applications are for new stations at Utica, N. Y., for 1450 kc, 250 watts.

Northern Broadcasting Co. Inc., (WSAU) (B4-P-3656), Wausau, Wis., for construction permit to change frequency to 1250 kc; Midwest Broadcasting Co. (B4-P-3746), Milwaukee, Wis., for a new station on 1250 kc with 5 KW. Farnsworth Television & Radio Corp. (WGL), Ft. Wayne, Ind., to change frequency to 1250 kc and increase power to 1 KW. Virginia-Carolina Broadcasting Corp., for a new station on 1250 kc, 1 KW night, 5 KW-LS, Danville, Va., to be consolidated with: The Wren Broadcasting Co. (WREN) (Docket 6703), which requests permission to move from Lawrence to Topeka and increase power on 1250 kc, to 5 KW.

Chronicle Publishing Co. Inc., Marion, Indiana, for new station on 1230 kc, 250 watts, Unlimited; Booth Radio Stations, Inc., Logansport, Ind. for new station on 1230 kc, 100 watts, Unlimited, to be consolidated with: Voice of Marion, (Docket 6773) for a new station at Marion, Ind., on 1230 kc, 250 watts.

Tri-County Broadcasting Corp., (B5-P-3890) and Edisto Broadcasting Co., both for new stations in Orangeburg, South Carolina, on 1450 kc, 250 watts, Unlimited time, to be consolidated with: Observer Radio Corp. (Docket 6763) and Orangeburg Broadcasting Corp. (Docket 6764), both requesting identical facilities.

The Constitution Publishing Co. (formerly Constitution Broadcasting Co. Docket 6075), Atlanta, Ga., New Mexico Publishing Co. (B5-P-3932), Santa Fe, New Mexico; Shenandoah Valley Broadcasting Corp. (WSVA) (B2-P-3753), Harrisonburg, Va.; Booth Radio Stations, Inc., Saginaw, Mich.; Federated Publications, Inc. (B2-P-4010), Lansing, Mich.; WJIM, Inc., Lansing, Mich.; Montana Broadcasting and Television Co., Anaconda, Mont.; Pulitzer Publishing Co. (KSD), St. Louis, Mo.; Caprock Broadcasting Co., Lubbock, Texas, to be consolidated with: Radiophone Broadcasting Station WOPI, Inc. (WOPI), (Docket 6661), Bristol, Tenn. All of these applicants request the use of frequency 550 kc.

San Bernardino Broadcasting Co. Inc., San Bernardino, Cal. B5-P-3908; Lee Bros. Broadcasting Co. (KFXM), San Bernardino; Nevada Radio & Television Co. (B5-P-3832), Reno, Nev.; New Mexico Broadcasting Co., (KGGM) (B5-P-2918), Albuquerque, New Mexico; The Star Broadcasting Co. Inc., Pueblo, Colo., to be consolidated with: Southern Utah Broadcasting Co. (KSUB) (Docket 6759), Cedar City, Utah. All of these applicants request authority to operate on 590 kc.

Atlantic Broadcasting Co. (B3-P-3835); Chatham Broadcasting Co. (B3-P-4029), both for new stations at Savannah, Ga., to oper-

ate on 1400 kc, 250 watts, Unlimited time, to be consolidated with: A. C. Neff (Docket 6640), seeking identical facilities.

Payette Associates, Inc. (B2-P-3876), for a new station at Montgomery, W. Va., to operate on 1400 kc, 250 watts, Unlimited time, to be consolidated with: Joe L. Smith, Jr. (Docket 6677), for a new station at Charleston, W. Va., 1400 kc, 250 watts, Unlimited time.

Thomaston Broadcasting Co. (B3-P-3829), Thomaston, Ga., 1420 kc, 250 watts, U.; J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co. (WRBL) (B3-P-3986), Columbus, Ga., 1420 kc, 5 KW, U.; Muscogee Broadcasting Co., Columbus, Ga., 1450 kc, 250 watts; Chattanooga Broadcasting Co., Columbus, Ga., 1460 kc, 1 KW; A. Frank Katzentine (Docket 6705), Orlando, Fla., 1420 kc, 5 KW, U; Palm Beach Broadcasting Corp. (WWPG), (B3-P-3968), Palm Beach, Fla., 1420 kc, 1 KW U. To be consolidated with: City of Sebring, Fla. (Docket 6696), Sebring, Fla., 1430 kc, 1 KW U.

Sabine Area Broadcasting Corp. (B3-P-4011), Orange, Texas; WOOP, Inc. (B2-P-3987), Dayton, Ohio; Charlotte Broadcasting Co. (B3-P-3847), Charlotte, N. C.; Burlington-Graham Broadcasting Co. (B3-P-4026), Burlington, N. C.; McClatchy Broadcasting Co. (B5-P-8900), Modesto, Cal.; United Broadcasting Co., Inc., (B3-P-3695), Montgomery, Ala.; Roy A. Lundquist & D. G. Wilde, (B5-P-4050), copartners d/b as The Skagit Valley Broadcasting Co., Mount Vernon, Wash.; Gazette Co., Cedar Rapids, Iowa; Long Island Broadcasting Corp. (WWRL), Woodside, N. Y.; James F. Hopkins, Inc. (Docket 6230), Ann Arbor, Mich.; San Joaquin Broadcasters, Inc., Modesto, Cal.; Piedmont Carolina Broadcasting Co., Inc., Reidsville, N. C. These applications involve the use of channel 1600 kc, and are to be consolidated with: Capital City Broadcasting Co. (Docket 6711), Des Moines, Iowa; Capitol Radio Corp. (Docket 6712), Des Moines; Myron E. Kluge, Earle E. Williams and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Co., Pomona, Cal. (Docket 6633).

Arkansas-Oklahoma Broadcasting Corp. (B3-P-4034); Donald W. Reynolds, (B3-P-3772), both seek new stations at Fort Smith, Ark., on 1230 kc, 250 watts, unlimited time.

James H. McKee (B2-P-3738); Capitol Broadcasting Corp. (B2-P-3779); Chemical City Broadcasting Co. (B2-P-3841), all request new stations at Charleston, W. Va., to operate on 1240 kc, 250 watts, unlimited time.

Coast Ventura Co. (B5-P-3725); Ventura Broadcasters, Inc. (B5-P-3807), both request new stations at Ventura, Cal., to operate on 1450 kc, 250 watts, unlimited time.

Huntington Broadcasting Corp. (B2-P-3741), Greater Huntington Radio Corp. (B2-P-3826), both for new stations at Huntington, W. Va., 1450 kc, 250 watts, unlimited time.

Bay State Beacon, Inc. (B1-P-3983); Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers (B1-P-3819); Cur-Nan Co.; Templeton Radio Mfg. Corp. The first three applicants request new stations at Brockton, Mass., 1450 kc, 250 watts, unlimited; the fourth requests a new station at Boston, Mass., 1450 kc, 250 watts, unlimited.

Bradford and Pihl (B4-P-3956); Russell E. Kaliher; both applicants request stations at Bemidji, Minn., 1450 kc, 250 watts, unlimited.

Escombia Broadcasting Co. (B3-P-3842); Gulfport Broadcasting Co., Inc.; Pape Broadcasting Co., all seek new stations at Pensacola, Fla., on 1450 kc, 250 watts, unlimited.

Glens Falls Broadcasting Corp. (Docket 6702); Great Northern Radio, Inc. (B1-P-4104); Glens Falls Publicity Corp. These applicants all seek stations at Glens Falls, N. Y., to operate on 1450 kc, 250 watts, unlimited time.

Bernard Lee Blum, Waterbury, Conn.; Mitchell G. Meyers, Reuben E. Aronheim, and Milton H. Meyers, Waterbury, Conn.; Harold Thomas, Waterbury, Conn. (B1-P-3951); Associated Electronic Enterprises, Woonsocket, R. I.; H. Ross Perkins and J. Eric Williams, d/b as Norwich Broadcasting Co. (B1-P-3870), Norwich, Conn. These five applicants request stations respectively at Waterbury, Conn.; Norwich, Conn., and Woonsocket, R. I., all to operate on frequency 1240 kc.

Valley Broadcasting Association, Inc. (B3-P-3759), McAllen, Texas; Howard W. Davis (B3-P-3830), McAllen, Texas; Radio Station KEEW, Ltd. (KEEW), Brownsville, Texas; Red River Valley Broadcasting Corp. (KRRV), Sherman, Texas. All four applicants request authority to operate on frequency 910 kc.

Valdosta Broadcasting Co., Valdosta, Ga.; Hazlewood, Inc. (WLOF) (B3-P-3973), Orlando, Fla. Both applicants request authority to operate on 950 kc.

Radio Service Corp. (KSEI) (B5-P-3735), Pocatello, Idaho, for increase in power on 930 kc to 5 KW, U.; Vancouver Radio Corp. (KVAN) (B5-P-3552), Vancouver, Wash., to change frequency from 910 to 930 kc, and increase power to 1 KW, Unlimited time.

Penn Thomas Watson (WGTM) (B3-P-3848), Wilson, N. C.; Eastern Carolina Broadcasting Co. (WGBR) (B3-P-3914), Goldsboro, N. C.; Jonas Welland (WFTC), (B3-P-3827), Kinston, N. C.; Roanoke Broadcasting Corp. (WSLS), Roanoke, Va.; Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. All these applicants request use of frequency 590 kc.

Voice of Augusta, Inc. (B3-P-3919); The Augusta Chronicle Broadcasting Co.; Savannah Valley Broadcasting Co. All these are applicants for a new station at Savannah, Ga., to operate on 1340 kc, 250 watts, Unlimited time.

El Paso Broadcasting Co.; Bleecker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins. These two are applicants for a new station at El Paso, Texas, on 1340 kc, 250 watts, Unlimited.

Broadcasting Corp. of America, Indo, Calif.; Richard T. Sampson, Banning, Calif. These two are for new stations at Indio and Banning, Calif., to operate on 1400 kc, 250 watts, Unlimited time.

Radio Sales Corp., Twin Falls, Idaho; Jessica L. Longston, Burley, Idaho. These are applicants for new stations at Twin Falls and Burley, Idaho, both to operate on 1450 kc, 250 watts, Unlimited.

C. L. Pursley and Louise Patterson Pursley, d/b as Pursley Broadcasting Service (B3-P-3745); H. O. Jones, Wm. E. Jones, and James O. Jones, a copartnership, d/b as WGCM Broadcasting Co. (B3-P-3698); WLOX Broadcasting Co. The first application is for new stations at Mobile, Ala., to operate on 1490 kc. and the last two are applicants for Biloxi Miss., to operate on 1490 kc.

Crescent Broadcasting Corp., Shenandoah, Pa.; The Patriot Co., Harrisburg, Pa. These are applicants for stations at Shenandoah and Harrisburg, Pa., both request the frequency 580 kc.

KOVO Broadcasting Co. (KОВО), Provo, Utah, (Docket 6739), to change frequency to 960 kc, and increase power to 1 KW.; United Broadcasting Co., for a new station at Ogden, Utah, on 950 kc, 250 watts, Unlimited time; both applicants request frequency 960 kc.

Peninsula Broadcasting Co. (WBOC) (B1-P-3786); Eastern Shore Broadcasting Co. (B1-P-3751). The former requests 1 KW, unlimited time, on 960 kc, at Salisbury, Md., and the latter requests 500 watts day, on the same frequency at Preston, Md.

Cedar Rapids Broadcasting Corp., Inc. (B4-P-3970); Radio Corp., of Cedar Rapids; Muscatine Broadcasting Co., Moline Dispatch Publishing Co. The first two applicants request new stations at Cedar Rapids, Iowa, to operate on 1450 kc, 250 watts, Unlimited

time; Muscatine Broadcasting Co. requests a new station at Muscatine, Iowa, to operate on 1450 kc. Moline Dispatch Publishing Co. requests a new station at Moline, Ill., to operate on 1450 kc.

John L. Plummer (B3-P-3798); J. O. Emmerich (B3-P-3805), Idde K. Corkorn (B3-P-4033). These three applicants seek a new station at Bogalusa, La., to operate on 1490 kc, 250 watts, unlimited time.

Murray L. Grossman, tr/as The Danbury Broadcasting Co. (B1-P-4017); The Berkshire Broadcasting Corp.; Torrington Broadcasting, Inc. The first two applicants request a new station at Danbury, Conn., the third is for a new station at Torrington, Conn., to operate on 1490 kc, 250 watts, unlimited time.

Meadville Tribune Broadcasting Co.; H. C. Winslow; Times Publishing Co. (B2-P-3773). The first two applications are for new stations at Meadville, Pa., on 1490 kc, 250 watts, unlimited time. The third for a new station at Erie, Pa., on 1490 kc, 250 watts, unlimited time.

Roderick T. Peacock, Sr. tr/as Daytona Beach Broadcasting Co.; Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, a co-partnership, d/b as Daytona Beach Broadcasting Co. Both applications are for a new station at Daytona Beach, Fla., on 1340 kc, 250 watts, unlimited time.

Old Pueblo Broadcasting Co.; Sun County Broadcasting Co., applicants for a new station at Tucson, Ariz., to operate on 1340 kc, 250 watts, unlimited time.

Smoky Mountain Broadcasting Co. (B3-P-3777); Clarence Beaman, Jr. tr/as East Tennessee Broadcasting Co. Both are applicants for a new station at Knoxville, Tenn., to operate on 1340 kc, 250 watts, unlimited time.

Peterson & Co. (B2-P-3984); The Central Kentucky Broadcasting Co.; Garvice D. Kincaid. All three are applicants for a new station at Lexington, Ky., to operate on 1340 kc, 250 watts, unlimited time.

Central Broadcasting Corp.; Howard W. Davis, tr/as The Walmac Co. Both are applicants for a new station at Corpus Christi, Texas, to operate on 1230 kc, 250 watts, unlimited time.

Syracuse Broadcasting Corp. (New), Syracuse, N. Y.; WLEU Broadcasting Corp. (WLEU), Erie, Pa. Both applicants seek the use of frequency 1260 kc.

Kentucky Broadcasting Co., Lexington, Ky.; P. C. Wilson, Canton, Ohio; Cleveland Broadcasting Co., Inc. (B2-P-4058), Cleveland, Ohio; Scripps-Howard Radio, Cleveland, Ohio; Walter A. Graham (B3-P-4059), Tip-top, Ga. All five applications are for new stations in the communities listed, and all seek the use of frequency 1300 kc.

Edgar T. Bell (B4-P-3812) (New), Peoria, Ill., 1350 kc, 1 KW, U; Centralia, Ill., Radio Corp. (B4-P-3911) (New), Peoria, Ill., 1340 kc, 250 watts, U; WJPS, Inc. (B4-P-3923) (New), Evansville, Ind., 1330 kc, 1 KW, U; Tri-State Broadcasting Corp. (New), Evansville, Ind., 1330 kc, 5 KW, U; Booth Radio Stations, Inc. (New), Flint, Mich., 1330 kc, 1 KW, U; Wabash Valley Broadcasting Corp., Terre Haute, Ind., 1350 kc, 5 KW, U.

Beaver County Broadcasting Corp. (New), Beaver Falls, Pa.; McKeesport Radio Co., McKeesport, Pa.; Booth Radio Stations, Inc., Lansing, Mich. All three applicants request use of frequency 1360 kc.

F. M. Radio and Television Corp. (New), San Diego, Calif., 1370 kc, 500 watts night, 1 KW-LS, U; Broadcasters, Inc. (New), San Jose, Calif., 1370 kc, 1 KW, U; United Broadcasting Co. (B5-P-4061), San Jose, Calif., 1380 kc, 250 watts, U; DeHaven, Hall and Oates (New), Salinas, Calif., 1380 kc, 1 KW, U; Valley Broadcasting Co. (B5-P-4015), Stockton, Calif., 1380 kc, 1 KW, U; Central Calif. Broadcasters, Inc. (KRE), (B5-P-3982), Berkeley, Calif., 1380 kc, 1 KW, U. All six applications are interrelated.

Southern Media Corp. (New), Coral Gables, Fla.; Ft. Lauderdale Broadcasting Co. (B3-P-3785), Ft. Lauderdale, Fla. Both applicants request the use of 1400 kc.

Old Dominion Broadcasting Corp. (B2-P-3978), Lynchburg, Va.; Blue Ridge Broadcasting Corp. (B2-P-2917), Roanoke, Va.; Piedmont Broadcasting Corp. (WBTM), Danville, Va.; John M. Rivers (WCSC), Charleston, S. C. All four applicants request authority to operate on 1390 kc.

Central Broadcasting Co. (B4-P-3809); Wisconsin State Broadcasting Co. (B4-P-4039). Both applications are for a new station at Madison, Wis., to operate on 1480 kc.

Permain Basin Broadcasting Co. (B3-P-4022); Wendell Mayes, C. C. Woodson and J. S. McBeath (B3-P-3901), d/b as Odessa Broadcasting Co.; Ben Nedow, tr/as Ector County Broadcasting Co.; Dorrance D. Roderrick (B3-P-4038). All four applications are for new stations at Odessa, Texas, to operate on frequency 1450 kc.

Albany Broadcasting Co., Inc. (B1-P-3945), Albany, N. Y.; Port Orange Broadcasting Co., Inc. (B1-P-4020), Albany, N. Y.; WHEC, Inc. (WHEC) (B1-P-3976), Rochester, N. Y. All three applications request the frequency 1460 kc.

Golden Gate Broadcasting Corp. (KSAN) (B5-P-3913), San Francisco, Cal., 1460 kc, 1 kw, U; California Broadcasting, Inc. (B5-P-4076), Bakersfield, Cal., 1460 kc, 1 kw, U; Bakersfield Broadcasting Co. (New), Bakersfield, Cal., 1490 kc, 250 watts, U; L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (New), Santa Cruz, Cal., 1460 kc, 500 watts, U; Cascade Broadcasting Co., Inc. (KTYW) (B5-P-3889), Yakima, Wash., 1460 kc, 1 kw, U; Amphlett Printing Co. (B5-P-3912), San Mateo, Cal., 1490 kc, 250 watts, U; Luther E. Gibson (B5-P-2787), Vallejo, Cal., 1490 kc, 250 watts, U; San Jose Broadcasting Co. (B5-P-3921), San Jose, Cal., 1500 kc, 1 kw, U. All eight applications are interrelated.

Albert S. Drollich and Robert A. Drollich, d/v as Drollich Bros. (New), Flint, Mich.; Booth Radio Stations, Inc. (New), Grand Rapids, Mich.; Methodist Radio Parish, Inc. (B2-P-3836), Flint, Mich. The first two applicants request 1470 kc, and the third requests 1500 kc.

The Chesapeake Radio Corp. (New), Annapolis, Md.; Nied and Stevens (New), Warren, Ohio; Daily Telegraph Printing Co. (WHIS), Bluefield, W. Va. The first two applications request 1440 kc, WHIS increase in power on same frequency.

George A. Ralston and Jerry C. Miller, d/b as Elgin Broadcasting Co. (B4-P-3833), Elgin, Ill.; William L. Klein (New), Oak Park, Ill.; Sidney H. Bliss, tr/as Beloit Broadcasting Co. (New), Beloit, Wis. All three applications request 1490 kc.

Paul D. Spearman, Jackson, Miss.; Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a Ltd. partnership, d/b as Rebel Broadcasting Co. (B3-P-3755), Jackson, Miss.; Capitol Broadcasting Co. Inc., (WRAL), Raleigh, N. C.; S. E. Adcock, tr/as Stuart Broadcasting Co. (WROL) (B3-P-3616), Knoxville, Tenn.; Virginia Broadcasting Corp. (B2-P-3964), Roanoke, Va.; Wichita Broadcasters (KWFT), Wichita Falls, Texas; Durham Radio Corp. (WDNC) (B3-P-3170), Durham, N. C. All these applicants seek authority to operate on 620 kc.

Scripps-Howard Radio, Inc. (WCPO) (B2-P-3898), Cincinnati, Ohio; Queen City Broadcasting, Inc. (New), Cincinnati, Ohio; American Broadcasting Corp. (WLAP), Lexington, Ky. All three applications seek authority to operate on 630 kc.

WSAV, Inc. (WSAV) (B3-P-3679), Savannah, Ga.; Atlantic Coast Broadcasting Co. (WTMA) (B3-P-3752), Charleston, S. C. Both stations seek the frequency 630 kc.

Wichita Broadcasting Co., Inc. (B4-P-3747); Air Capital Broadcasting Co. Inc. (B4-P-3769); Wichita Beacon Broadcasting Co. (B4-

P-3963); Adelaide Lillian Carrell; KAIR Broadcasting Co. Inc.; KTOP, Inc. (B4-P-3727); Emporia Broadcasting Co. Inc. (KTSW) (B4-P-3457). The first five applications request new stations at Wichita, Kans., on 1490 kc; Station KTSW requests a change of frequency from 1400 to 1490 kc; KTOP, Inc., requests 1400 kc, contingent upon a grant of the application of KTSW from 1400 to 1490 kc.

(Sec. 309 (a), 48 Stat. 1085; 47 U.S.C. 309)

Dated: October 25, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20017; Filed, Oct. 30, 1945; 11:23 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-671]

INTERSTATE NATURAL GAS CO., INC.

NOTICE OF APPLICATION

OCTOBER 25, 1945.

Notice is hereby given that on October 4, 1945, an application was filed with the Federal Power Commission by Interstate Natural Gas Company, Incorporated ("Applicant"), a Delaware corporation with its principal place of business at Monroe, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the sale of natural gas to the Town of Clinton, a municipal corporation organized and existing under the laws of the State of Louisiana.

The service proposed to be rendered by Applicant is the sale of gas to the Town of Clinton. Applicant proposes to deliver gas to the Town of Clinton from a tap on Applicant's main pipeline system which extends from the Monroe Gas Field, Union Parish, Louisiana, in a southeasterly direction through the State of Louisiana, to a point on the Mississippi-Louisiana State Line, thence in a southeasterly direction to a point in Baton Rouge, East Baton Rouge Parish, Louisiana. The above-mentioned tap will be located near the Town of Jackson, Louisiana. The only new facilities to be installed by Applicant in connection with this delivery will be a meter setting at the tap, and the delivery will take place at the outlet of Applicant's meter.

The Town of Clinton has not had any gas service, either natural or manufactured, prior to this time, and for the purpose of distributing natural gas to be purchased from Applicant, it proposes to install a distribution system.

The prices to be paid by The Town of Clinton to the Applicant for gas purchased under the terms of a contract entered into on September 10, 1945, are as follows:

For the first Twenty-Five Thousand (25,000) Mcf of natural gas sold and delivered in any month: 15¢ per Mcf.

For all in excess of Twenty-Five Thousand (25,000) Mcf. of natural gas sold and delivered in each such month: 12¢ per Mcf.

It is provided in the contract entered into on September 10, 1945, that the

Town of Clinton shall have a period of six (6) months, commencing with the date of the execution of the agreement, within which to complete its pipelines to and in the Town of Clinton, Louisiana, and to install all necessary equipment so as to be in a position to supply natural gas to the consumers therein; and, in the event the Town of Clinton has not so completed its pipelines and installed all necessary equipment, then the contract shall be void.

Any person desiring to be heard or to make any protest with reference to the application should, on or before the 9th day of November, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-19905; Filed, Oct. 29, 1945;
10:00 a. m.]

[Docket No. G-669]

MICHIGAN-WISCONSIN PIPE LINE CO.

ORDER FIXING DATE OF HEARING

OCTOBER 24, 1945.

Upon consideration of the application filed September 24, 1945, by Michigan-Wisconsin Pipe Line Company (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the acquisition, construction and operation of the following described facilities:

(1) A transmission pipeline consisting of 26-inch and 22-inch O. D. steel pipe approximately 1,216 miles in length, extending from a point in the Hugoton gas field in Texas in a general northeasterly direction to a point in the Austin storage field in Mecosta County, Michigan, together with a 14,300 hp gas compressor station in Hansford County, Texas, and lateral lines in Missouri, Iowa, Illinois and Wisconsin and necessary appurtenant facilities;

(2) A 26-inch O. D. transmission pipeline approximately 140 miles in length extending from the Austin gas storage field to a point near the city limits of Detroit, Michigan, and other facilities including gas storage facilities in the Austin and other gas fields now owned by Michigan Consolidated Gas Company;

The Commission orders that:

(A) A public hearing be held commencing on January 8, 1946, at 10 a. m. in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Wash-

¹ The proposed 26-inch transmission pipeline connecting the Austin field in Mecosta County with the Detroit area is to be constructed by Michigan Consolidated Gas Company. The facilities referred to in subparagraph (2) above will be operated by Applicant pursuant to an agreement with Michigan Consolidated Gas Company pending Applicant's acquisition of said facilities.

ington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20000; Filed, Oct. 30, 1945;
9:38 a. m.]

[Docket No. G-672]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 26, 1945.

Notice is hereby given that on October 8, 1945, an application was filed with the Federal Power Commission by Northern Natural Gas Company, a corporation organized under the laws of the State of Delaware, with its principal place of business at Omaha, Nebraska, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain facilities, hereinafter more particularly described, which, if constructed, will extend Applicant's existing natural gas transmission system.

Applicant delivers natural gas for distribution in numerous communities in Oklahoma, Kansas, Nebraska, Iowa, Minnesota and South Dakota.

The facilities which Applicant seeks authority to construct and operate are described in its application as follows:

(a) The construction of approximately 9.7 miles of 4½-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 6-inch pipe line in Section 5, Township 112 North, Range 23 West, Le Sueur County, Minnesota, and extending in a northwesterly direction to a point at or near the corporate limits of Belle Plaine, Minnesota.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

(b) The construction of approximately 4.0 miles of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 4-inch pipe line in Section 11, Township 113 North, Range 24 West, Scott County, Minnesota, and extending in a northeasterly direction to a point at or near the corporate limits of Jordan, Minnesota.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

(c) The construction of approximately 0.38 mile of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 8-inch pipe line in Section 4, Township 107 North, Range 24 West, Waseca County, Minnesota, and extending in a northerly direction to a point at or near the corporate limits of Janesville, Minnesota.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

Applicant states that it proposes, by means of the facilities which it seeks authority to construct, to supply the entire natural gas requirements of Janesville, Belle Plaine, and Jordan, Minnesota; that the aforementioned towns do not now have gas service; that each of these towns has granted a franchise to Minnesota Valley Natural Gas Company authorizing the construction of distribution facilities and the sale of natural gas within their respective corporate limits; that natural gas is to be supplied by Applicant to Minnesota Valley Natural Gas Company at the town borders of Janesville, Belle Plaine, and Jordan, Minnesota, under the existing town border contract between the parties; that the estimated total cost of the proposed lines and facilities is \$75,417.

The application further recites that the proposed line to Belle Plaine, Minnesota, will have a capacity of approximately 1500 Mcf per day; that the estimated maximum day demand is 1010 Mcf and the minimum day demand is 470 Mcf; that the proposed line to Jordan, Minnesota, will have a capacity of approximately 400 Mcf per day, and that the estimated maximum day demand is 355 Mcf and the estimated minimum day demand is 70 Mcf; that the proposed line to Janesville, Minnesota, will have a capacity of approximately 647 Mcf per day and the estimated maximum day demand is 300 Mcf and the estimated minimum day demand is 20 Mcf.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 10th day of November 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20044; Filed, Oct. 30, 1945;
11:50 a. m.]

[Docket No. G-673]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 26, 1945.

Notice is hereby given that on October 8, 1945, an application was filed with the Federal Power Commission by Northern Natural Gas Company, a corporation organized under the laws of the State of Delaware, with its principal place of business at Omaha, Nebraska, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain facilities, hereinafter more particularly described, which, if constructed, will extend Applicant's existing natural gas transmission system.

Applicant delivers natural gas for distribution in numerous communities in Oklahoma, Kansas, Nebraska, Iowa, Minnesota and South Dakota.

The facilities which Applicant seeks authority to construct and operate are described in its application as follows:

(a) The construction of approximately 4.25 miles of 3½-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Northwest Quarter (NW¼) of Section 5, Township 81 North, Range 26 West, Dallas County, Iowa, and extending in a northeasterly direction to a point at or near the corporate limits of Madrid, Iowa.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

(b) The construction of approximately 0.6 mile of 2¾-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Northeast Quarter (NE¼) of Section 1, Township 80 North, Range 26 West, Dallas County, Iowa, thence in a southwesterly direction to the measuring and regulating station situated in the Southwest Quarter (SW¼) of Section 1, Township 80 North, Range 26 West, near Granger, Iowa.

The construction of a measuring and regulating station to be located at the terminus of the aforesaid pipe line.

(c) The construction of approximately 3.0 miles of 2¾-inch O. D. pipe line from a point of connection with Applicant's 16-inch pipe line in the Southeast Quarter (SE¼) of Section 27, Township 80 North, Range 25 West, Polk County, Iowa, together with appurtenances thereto, and extending in a southwesterly direction to a point at or near the corporate limits of Grimes, Iowa.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

(d) The construction of approximately 0.91 mile of 2-inch O. D. pipe line from a point of connection with Applicant's 16-inch pipe line in the Northeast Quarter (NE¼) of Section 22, Township 101 North, Range 33, West, Martin County, Minnesota, together with appurtenances thereto, and extending in a northerly direction to a point at or near the corporate limits of Dunnell, Minnesota.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

(e) The construction of approximately 2.2 miles of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 24-inch pipe line in the Southeast Quarter (SE¼) of Section 23, Township 11 North, Range 10 East, Cass County, Nebraska, and extending in a northerly direction to a point at or near the corporate limits of Murdock, Nebraska.

The construction of a measuring and regulating station, to be located at the terminus of the aforesaid pipe line.

Applicant states that it proposes, by means of the facilities which it seeks authority to construct, to supply the entire

natural gas requirements of Madrid, Granger and Grimes, Iowa; Dunnell, Minnesota; and Murdock, Nebraska; that the aforementioned towns do not now have gas service; that each of these towns has granted a franchise to Peoples Natural Gas Company authorizing the construction of distribution facilities and the sale of natural gas within their respective corporate limits; that natural gas is to be supplied by Applicant to Peoples Natural Gas Company at the town borders of Madrid, Granger and Grimes, Iowa; Dunnell, Minnesota, and Murdock, Nebraska, under the existing town border contract between the parties; that the estimated total cost of the proposed lines and facilities is \$64,118.

The application further recites that the proposed line to Madrid, Iowa, will have a capacity of approximately 555 Mcf per day; that the maximum day demand is 300 Mcf and the minimum day demand is estimated to be 40 Mcf; that the proposed line to Granger, Iowa, will have a capacity of approximately 514 Mcf per day; that the estimated maximum day demand is 70 Mcf and the minimum day demand is estimated to be 10 Mcf; that the proposed line to Grimes, Iowa, will have a capacity of approximately 231 Mcf per day; that the estimated maximum day demand is 230 Mcf and the minimum day demand is estimated to be 90 Mcf; that the proposed line to Dunnell, Minnesota, will have a capacity of approximately 416 Mcf per day; that the estimated maximum day demand is 58 Mcf and the minimum day demand is estimated to be 6 Mcf; that the proposed line to Murdock, Nebraska, will have a capacity of approximately 734 Mcf per day; that the estimated maximum day demand is 180 Mcf and the minimum day demand is estimated to be 15 Mcf.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 10th day of November 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20045; Filed, Oct. 30, 1945;
11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4628]

CINDERELLA MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Cinderella Manufacturing Company, 233½ Francis Street, Jackson, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

	Maximum prices for sales by any seller to—	
	Retailers	Consumers
Toy cash register.....	Each \$3.00	Each \$4.69

These maximum prices are for the articles described in the manufacturer's application dated August 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.69 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 30th day of October 1945.

Issued this 29th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19949; Filed, Oct. 29, 1945;
11:29 a. m.]

[2d Rev. MPR 213, Order 27]

THE ENGLANDER CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to section 9 (b) (1) of Second Revised Maximum Price Regulation No. 213, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries, to the classes of purchasers named, of the articles listed below, manufactured by The Englander Company, Inc., of 2447 Roosevelt Road, Chicago, Illinois, are as follows:

Bedspring model	Maximum prices for sales by the manufacturer to retailers	Maximum prices for sales to consumers ¹
	Each	Each
#1713.....	\$9.95	\$19.15
#1600.....	10.75	20.65
Victory.....	11.25	21.60
#1 Cable Coil.....	13.25	25.45
Cable King.....	13.75	26.40

¹ For sales in the Far West Zone, as defined in section 17 of Second Revised Maximum Prices Regulation No. 213, add \$1.25 per unit.

These maximum prices are for the articles described in the manufacturer's applications, both dated September 12, 1945. In the case of sales by the manufacturer, they are f. o. b. Chicago, Illinois. All sales are subject to each seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* The Englander Company, Inc., shall notify, in writing, all retailers who purchase the articles covered by this order of the maximum prices established by this order for sales at retail. This notice may be given in any convenient form; and it shall be given at the time of, or prior to, the first invoice to each retailer covering a sale of the articles covered by this order.

(c) *Tagging.* Before delivery of any article covered by this order, The Englander Company, Inc., must attach to each such article a durable tag containing the following in easily readable lettering, with the amount properly filled in:

OPA has established a retail ceiling price of \$..... for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(d) *Definitions.* Unless the context otherwise requires, the definitions set forth in Second Revised Maximum Price Regulation No. 213 shall apply to the terms used in this order.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on October 30, 1945.

No. 214—5

Issued this 29th day of October 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-19950; Filed, Oct. 29, 1945;
11:30 a. m.]

[RMPR 136, Amdt. 5 to Rev. Order 104]

FORD MOTOR CO.

APPROVAL OF MAXIMUM PRICES

Amendment 5 to Revised Order No. 104 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Ford Motor Company. Docket No. 6083-136.21-470.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Price Regulation 136; it is ordered:

1. A new subparagraph (1) is added to paragraph (a) of Revised Order No. 104 under Revised Maximum Price Regulation 136 to read as follows:

(1) Notwithstanding the provisions of paragraph (a) preceding this subparagraph, the Ford Motor Company is authorized to charge for the 8 cylinder, 90 horsepower, 1½ ton, 134" chassis with cab and stake body, a price not to exceed a maximum net wholesale price of \$821, and a maximum retail list price of \$1,094.67 (subject to discounts and other deductions in effect on March 31, 1942).

This order shall become effective October 29, 1945.

Issued this 29th day of October 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-19990; Filed, Oct. 29, 1945;
4:06 p. m.]

[Gen. Order 68, Amdt. 1]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY

An opinion setting forth the reasons for the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Order No. 6 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The Price Administrator may, and each Regional Administrator of the Office of Price Administration and any District Director who may be authorized by the appropriate Regional Administrator is authorized to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area, for sales by all persons, except manufacturers, of commodities under the jurisdiction of the Building Materials and Construction

Price Branch which are covered by the following regulations:

(1) General Maximum Price Regulation.

(2) 3d Rev. MPR 13.

(3) MPR 44 (except as to sales covered by MPR 525).

(4) MPR 293 (except as to sales covered by MPR 525).

(5) MPR 381.

2. Paragraph (b) is amended to read as follows:

(b) Regional Administrators or District Directors shall observe the following standards in issuing orders under this general order:

(1) Maximum prices shall be set forth in dollars-and-cents unless this shall clearly appear impracticable or inappropriate.

(2) Maximum prices thus set forth shall not exceed the general level of prices as fixed by the regulation which would otherwise be applicable.

This amendment shall become effective November 5, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-20032; Filed, Oct. 30, 1945;
11:44 a. m.]

[RMPR 528, Order 68]

WABER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, it is ordered:

(a) The maximum retail prices for sales of new synthetic rubber Waber Double Seal special purpose truck and airplane tubes manufactured for The Waber Company, Chicago, Illinois, for the following sizes and types shall be:

Size	Type	Maximum retail price, each
7.00-17.....	Truck and bus.....	\$12.80
11.00-20.....	do.....	29.00
12.00-20.....	do.....	32.00
27 inches.....	Airplane.....	13.20

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective October 31, 1945.

Issued this 30th day of October 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-20042; Filed, Oct. 30, 1945;
11:45 a. m.]

Regional and District Office Orders.

[Region III 2d Rev. Order G-5 Under RMPR 122]

SOLID FUELS IN AKRON, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Akron, Ohio, Area, described as all the territory within the corporate limits of Akron, Barberton, Cuyahoga Falls and the Village of Silver Lake, Ohio.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Second Revised Order No. G-5 supersedes Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Order Nos. 3, 4, 5, 6, 7, 8 and 9. Said Revised Order No. G-5 is hereby revoked as of the effective date of this Second Revised Order No. G-5. This Second Revised Order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this second revised order, said Regional Supplementary Orders shall not apply to this Second Revised Order No. G-5.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II lists maximum prices for credit sales on a direct delivery basis; and Column III lists maximum prices for sales on a direct delivery basis pursuant to which payment is made on or before the tenth day of the month following

the date of delivery. Credit sales for the purposes of this order are all sales pursuant to which payment is made at any time after the tenth day of the month following the date of delivery. All prices are for sales on a net ton basis.

SCHEDULE I.—SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia) ¹		
A. Lump:		
1. Size group No. 2 (larger than 3" but not exceeding 5"):		
a. Mine price classifications C through E	\$9.30	\$9.05
b. Mine price classification F	9.10	8.85
c. Mine price classifications G through J:		
(1) Mine index No. 4110 (Allegheny mine of the Hellier Coal & Coke Co.)	9.30	9.05
(2) All others	8.05	8.80
d. Mine price classification K	8.85	8.60
e. Mine price classifications L and lower	8.80	8.55
B. Egg:		
1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications E through N	8.70	8.45
C. To the prices stated in paragraphs A and B of part I may be added \$0.15 per ton provided the coal is mined in sub-district No. 6 of producing district No. 8. Subdistrict No. 6 includes that portion of district No. 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.		
II. High volatile bituminous coals from producing district No. 4 (Ohio)		
A. Lump or egg: Size group Nos. 1 and 2 (bottom size larger than 2") from sub-district Nos. 1 (eastern Ohio) and 4 (middle)	7.56	7.31
B. Egg: Size group Nos. 3A and 4 (bottom size larger than 1½" but not exceeding 2"; top size larger than 2" x bottom size 1½" and smaller, forked) from sub-district Nos. 4 (eastern Ohio) and 4 (middle)	7.36	7.11
III. High volatile bituminous coals from producing district No. 3 (north central West Virginia excluding Panhandle) ¹		
A. Lump or egg: Size group No. 1 (bottom size larger than 2") mine price classifications D and E	7.73	7.48

¹ \$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* (i) A discount of not less than \$1.00 per ton on the prices listed in Column III shall be given to all domestic consumers purchasing at the yard.

(ii) A discount of not less than \$1.00 per ton on the prices listed in Column III shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice. The maximum price for any service rendered by a dealer in connection with a sale of solid fuels and not specified below shall be the highest price charged by the dealer during December 1941 for the same service. If, during December 1941, the dealer rendered any service without charge, he shall continue to do so.

Per ton
For delivery beyond the limits of the area but within two miles of the boundary of the area..... \$0.25
For delivery over two miles beyond the limits of the area..... .50

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19884; Filed, Oct. 29, 1945; 9:28 a. m.]

[Region III Rev. Order G-6 Under RMPR 122]

SOLID FUELS IN LIMA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic and quantity consumer and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Lima, Ohio Area, described as all the territory bounded as follows: Commencing at the intersection of Breese Road and Yoakum Road in Shawnee Township running thence northerly on Yoakum Road to Amanda Road; thence westerly on Amanda Road to Wonderlick Road; thence north on Wonderlick Road to State Route No. 117; thence easterly on State Route No. 117 to Sheriff Road; thence northerly on Sheriff to Elm Street Road; thence easterly on Elm Street Road to Eastown Road; thence northerly on Eastown Road to Diller Road; thence easterly on Diller Road to Cole Street; thence northerly on Cole Street to Early Road; thence easterly on Early Road and Blue Lick Road to Slabtown Road; thence southerly on Slabtown Road to State Route No. 81; thence easterly on State Route No. 81 to Fetter Road; thence southerly on Fetter Road to High Street Road; thence easterly on High Street Road to Mumaugh Road; thence southerly on Mumaugh Road to United States Route No. 30S; thence easterly on United States Route No. 30S to Chapel Road; thence southerly on Chapel Road and Perry Road to Hantorn Road; thence westerly on Hantorn Road to Bowman Road; thence southerly on Bowman Road to Roathe Road; thence westerly on Roathe Road

to Breese Road; thence westerly on Breese Road to point of beginning including all territory within said boundaries.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-6 supersedes Order No. G-5 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-6, is hereby revoked as of the effective date of this Revised Order No. G-6. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-6.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; and Column II lists maximum prices for cash or credit sales to domestic consumers on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia north-eastern Tennessee): ¹	
A. Lump—Size groups Nos. 1 and 2 (larger than 3"):	
1. Mine price classifications A through E.....	\$9.10
2. Mine price classifications, other.....	8.65
B. Egg—Size group Nos. 5, 6 and 7 (top size larger than 5" but not exceeding 6" x bottom size 3" and smaller; top size larger than 3" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3").....	8.40
C. Stoker—Size group No. 10 (top size 1½" and smaller and bottom size ½" and larger):	
1. From mine index No. 415.....	8.85
2. Mine price classification A.....	9.00
3. Mine price classifications B through O.....	8.60
4. Mine price classifications H and lower.....	8.25

¹\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment, by the producer to allay dust or prevent freezing.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—Continued

Column I	Column II
I. High volatile bituminous coals from producing district No. 8—Con.	
D. Nut and slack:	
1. Produced at Auxier Mine, Index No. 25 of the Northeast Coal Company.....	\$8.00
2. Produced at all other mines.....	7.80
E. To the prices stated in sections A, B, C and D of part I may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump or egg—Size group Nos. 1 and 2 (bottom size larger than 2"):	
1. From subdistrict No. 5 (Hocking).....	8.11
2. From subdistrict No. 1 (eastern Ohio).....	7.91
B. Stoker—Size group No. 5 (top size not exceeding 2" x bottom size larger than 10 mesh):	
1. From subdistrict No. 5 (Hocking).....	8.16
2. From subdistrict No. 1 (eastern Ohio).....	8.11
III. High volatile bituminous coals from producing district No. 3 (northwestern W. Va. excluding Panhandle): ¹	
A. Lump and egg—Size group No. 1 (bottom size larger than 2").....	8.88
B. Lump and egg—Size group No. 2 (bottom size 2" and smaller).....	8.58
IV. High volatile bituminous coals from producing district No. 6 (W. Va. Panhandle):	
A. Lump—Size group Nos. 1 and 2 (larger than 2").....	8.82
B. Egg—Size group Nos. 2 and 3 (double screened coals with bottom size larger than 1¼").....	8.53
C. Stoker—Size group No. 5 (double screened coals with top size 2" and smaller).....	8.73
V. Low volatile bituminous coals from producing district Nos. 7 and 8 (southern W. Va. and western Va.): ¹	
A. Lump—Size group No. 1 (bottom size larger than that designated for screened run of mine) mine price classification A.....	9.90
B. Egg—Size Group No. 2 (top size larger than 3" x bottom size no limit) mine price classification A.....	\$9.85
C. Stoker—Size Group No. 5 (pea or dedusted screenings: top size not exceeding ¾" x bottom size smaller than ¾") mine price classification A.....	8.75
(2) <i>Discounts—(i) Quantity discounts.</i> A discount of not less than 50¢ per ton on the prices listed in Column II shall be given on all sales to quantity purchasers buying in carload lots.	
(ii) <i>Yard sales.</i> A discount of not less than 50¢ per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.	

This order may be modified, amended, or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued: October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19883; Filed, Oct. 29, 1945; 9:27 a. m.]

[Region III Rev. Order G-8 Under RMPR 122]

SOLID FUELS IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by \$1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic, commercial, industrial and institutional consumers of specified solid fuels when sold and delivered within the Louisville, Kentucky, Area, described as all the territory within the corporate limits of the City of Louisville, Kentucky, and all contiguous territory that lies within four miles of the corporate limits thereof.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-8 supersedes Order No. G-8 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-8 is hereby revoked as of the effective date of this Revised Order No. G-8. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-8.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quanti-

ties of solid fuels. Column I describes the solid fuel for which prices are established; Column II lists maximum prices for cash sales to domestic consumers on a direct delivery basis; and Column III lists maximum prices for cash or credit sales to commercial, industrial and institutional consumers on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL OR WATER

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky and southwestern West Virginia, western Virginia and northeastern Tennessee).¹		
A. Lump: Size groups Nos. 1 and 2 (bottom size larger than 3"):		
1. Mine price classifications E and F.....	\$8.25	\$8.00
2. Mine price classifications G and H.....	7.95	7.70
3. Mine price classifications J and lower.....	7.85	7.60
B. Egg:		
1. Size group No. 5 (top size larger than 3" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) Mine Price Classifications G through K:		
a. The Fourseam mine, index 207 of the Fourseam Coal Corporation.....	7.80	7.55
b. All mines excepting the above.....	7.65	7.40
2. Size group No. 6 (top size larger than 6" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine price classifications E and F.....	7.90	7.65
b. Mine price classifications G through N:		
(1) The Fourseam mine, index 207 of the Fourseam Coal Corporation.....	7.85	7.60
(2) All mines excepting the above.....	7.55	7.30
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) Mine price classifications B through M.....	7.55	7.30
C. Stoker: Size group No. 10 (top size 1 1/4" and smaller x bottom size smaller than 1 1/4"):		
1. Mine price classification A.....	8.10	7.85
2. Mine price classifications B through E.....	7.70	7.45
D. Screenings: Size group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0) mine price classification D through L.....		6.10
E. To the prices stated in paragraphs A, B, C, and D may be added \$0.15 per ton provided the coal is mined in sub-district 6 of producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following Counties of Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
II. High volatile bituminous coals from producing district No. 9 (western Kentucky).¹		
A. Lump and egg, size group Nos. 1 through 6 (all single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2"):		
1. From the 9th and 11th seams.....	6.21	5.96
2. From the 14th seam.....	6.46	6.21
B. Mine run, size group No. 7 (straight mine run; mine run, modified by the removal of any intermediate size or sizes; all mine run resultants larger than 2"; no fines removed):		
1. From the 9th and 11th seams.....	5.86	5.61
2. From the 14th seam.....	6.01	5.76
C. Stove, nut and pea:		
1. Size group Nos. 8 through 12 (all double-screened raw or washed stove coal, top size larger than 1 1/4" but not exceeding 2" and bottom size larger than 3/4"; all raw double-screened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"):		
a. From the 9th and 11th seams.....	5.46	5.21
b. From the 14th seam.....	5.66	5.41
2. Size group Nos. 17 through 22 (all washed, or air-cleaned, double-screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings with bottom size larger than 1 millimeter and top size not exceeding 2"):		
a. From the 9th and 11th seams.....	5.76	5.51
b. From the 14th seam.....	5.66	5.41

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL OR WATER—Continued

Column I	Column II	Column III
III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia).¹		
A. Lump and egg:		
1. Size group Nos. 1 and 2 (lump-bottom size larger than screened run of mine; egg-top size larger than 3" x bottom size no limit):		
a. Mine price classification A.....	\$9.65	\$9.40
B. Stoker: Size group No. 5 (pea or dedusted screenings—top size not exceeding 3/4" x bottom size smaller than 3/4")	8.05	7.80
IV. Coke (excluding reject or reclaimed coke)		
Egg, stove, and nut.....	11.00	10.75
V. Briquettes (made from low volatile bituminous coals from District No. 7)		
a. Glen Rogers briquettes (made at Glen Rogers, West Virginia).....	10.00	9.75
b. All others.....	9.75	9.50

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing.

(2) **Discounts.** A discount of not less than 50¢ per ton on the prices listed in Column II shall be given to all domestic consumers purchasing at the yard.

(3) **Schedule of service charges.** This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming in the bin.....	\$0.25
Carry-in or wheel-in from curb.....	.75
Carrying up or down stairs (per flight).....	1.00

(4) **Additional charge for credit sales.** An additional charge of not more than 25¢ per ton may be added to the prices listed in Column II on all credit sales to domestic consumers.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19882; Filed, Oct. 29, 1945; 9:27 a. m.]

[Region III Order G-9 Under SO 94]

AUTOMOTIVE FUNNELS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) **What this order does.** This Revised Order No. G-9 establishes maximum prices for the sale of Automotive

Funnel, hereinafter described, by the Department of Commerce, Office of Surplus Property to jobbers and wholesalers; by the Department of Commerce, Office of Surplus Property, or jobbers and wholesalers to retailers; and by the Department of Commerce, Office of Surplus Property, or any reseller to industrial users and consumers.

(b) **Geographical applicability.** This Revised Order No. G-9 shall apply to all sales described herein when made in this Region III, which includes the States of Indiana (except the County of Lake), Kentucky, Michigan, Ohio and West Virginia.

(c) **Maximum prices.** Maximum prices for the sale of the Automotive Funnel described herein shall be as follows:

Article and description	Commerce's maximum price to jobbers and wholesalers	Commerce's, jobber's, and wholesaler's maximum price to retailers	Commerce's or any reseller's maximum price to industrial users and consumers
Automotive funnels—galvanized iron, 12 1/2" in diameter at the top, with a 2" copper screen in the bottom; capacity—8 quarts; condition—new.....	Each \$1.20	Each \$1.35	Each \$1.80

(d) **Notification of maximum prices.** The Office of Surplus Property of the Department of Commerce on all sales of the Automotive Funnel described in paragraph (c) and all resellers of the same, shall furnish each purchaser with an invoice of sale setting forth the maximum prices established by this order.

(e) **Records.** All jobbers, wholesalers and retailers making resales of the commodity subject to this order shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, their customary records of all transactions.

(f) **Definitions.** (1) A "jobber" or "wholesaler" means any person, other than a manufacturer, the major portion of whose sales is to retailers and industrial and institutional users.

(2) A "retailer" means any person whose sales to purchasers for use constitute the major part of his sales.

(g) **Revocation and amendment.** This Revised Order No. G-9 under Supplementary Order No. 94 supersedes and revokes the original Order No. G-9 under Supplementary Order No. 94 as issued on May 18, 1945.

This Revised Order shall become effective August 20, 1945.

This revised order shall become effective August 20, 1945.

Issued: August 20, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.
[F. R. Doc. 45-19887; Filed, Oct. 29, 1945; 9:29 a. m.]

[Region III Rev. Order G-23 Under RMPR 122]

SOLID FUELS IN MARION, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Marion, Indiana Area, described as all the territory within the corporate limits of the City of Marion, Indiana.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of the said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order G-23 supersedes Order No. G-23 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-23 is hereby revoked as of the effective date of this Revised Order No. G-23. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-23.

(e) *Prices, discounts and service charges.* (1) *Price schedule.* This schedule sets forth maximum prices for sales of specified, sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee):¹	
A. Lump—Size group Nos. 1 and 2 (bottom size larger than 3"):	
1. Mine price classifications D through H	\$9.35
2. Mine price classifications J through N	9.10
3. Mine price classification O	8.80
B. Egg:	
1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):	
(a) Mine price classifications E and F	8.75
(b) Mine price classifications G through L	8.60
2. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller):	
(a) Mine price classification A	8.60
(b) Mine price classifications B through H	8.55
C. Stove—Size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller):	
1. Mine price classifications B through G	8.45
D. Stoker—Size group No. 10 (top size 1½" and smaller by bottom size ½" and larger):	
1. Mine price classifications B through E	8.85
2. Mine price classifications F through M	8.55
E. To the prices stated in sections A, B, C and D of Part I may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of producing district No. 8 and provided it is separately weighted and billed by the dealer. Sub-district 6 includes that portion of district No. 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia):¹	
A. Lump—Size group No. 1 (all lump, bottom size ¾"):	
1. Mine price classification A	10.25
2. Mine price classification B and C	9.85
B. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit):	
1. Mine price classification A	10.35
C. Stoker—Size group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾")	
mine price classification A	8.95
III. Briquettes, made from low volatile bituminous coals from producing district No. 7	11.15
IV. Pennsylvania anthracite, egg, stove and nut	15.35
V. Byproduct coke—egg, stove and nut size	12.50

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* A discount of not less than 50¢ per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry in from curb	\$0.75
Wheel in from curb	.40
Carry up or down stairs (per flight)	1.00
Service charge for deliveries in quantities of ½ ton	.10

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 15, 1945.

Issued: October 15, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19888; Filed, Oct. 29, 1945; 9:29 a. m.]

[Region III Order G-34 Under MPR 329, Amdt. 3]

FLUID MILK IN WEST VIRGINIA

For the reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1351.408 (b) of Maximum Price Regulation No. 329; *It is hereby ordered:*

(a) Order No. G-34 under Maximum Price Regulation No. 329, as amended, is hereby amended by adding thereto a section designated as section (d-1) to be inserted immediately following section (d), said section (d-1) to read as follows:

(d-1) Unless otherwise provided, all prices established hereby shall be f. o. b. purchaser's plant.

This amendment shall become effective September 5, 1945.

Issued: September 5, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.
Action approved by:

F. P. CRONIN,

War Food Administration.

[F. R. Doc. 45-19889; Filed, Oct. 29, 1945; 9:29 a. m.]

[Region III Rev. Order G-57 Under 18 (c), Amdt. 1]

FIREWOOD IN UPPER PENINSULA OF MICHIGAN

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.-

18 (c) of the General Maximum Price Regulation; *It is hereby ordered*, That paragraph (f) of Revised Order No. G-57 under section 1499.18 (c) of the General Maximum Price Regulation be amended to read as follows:

(f) *Geographic applicability.* This order shall apply to all sales by any persons whose places of business are located within the following counties, all within the Upper Peninsula of Michigan: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Marquette, Mackinac, Menominee, Ontonagon and Schoolcraft.

This Amendment No. 1 to Revised Order No. G-57 under § 1499.18 (c) of the General Maximum Price Regulation shall be effective as of the date of the original order, September 10, 1945.

Issued September 19, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19890; Filed, Oct. 29, 1945;
9:29 a. m.]

[Region III, Rev. Order G-52 Under
RMPR 122]

SOLID FUELS IN LANCASTER, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Lancaster, Ohio, Area, described as all the territory within the corporate limits of the City of Lancaster, Ohio, and all territory adjacent thereto and within one mile of said corporate limits.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This revised Order

No. G-52 supersedes Order No. G-52 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-52 is hereby revoked as of the effective date of this Revised Order No. G-52. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-52.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which prices are established; and Column II lists maximum prices for sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL OR TRUCK

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): ¹	
A. Lump—Size group No. 2 (larger than 3" but not exceeding 5"):	
1. Mine price classifications G through K.....	\$7.60
2. Mine price classification O.....	7.40
B. Egg:	
1. Size Group No. 4 (top size larger than 6" x bottom size larger than 2" but not exceeding 3") mine price classifications L through N.....	7.15
2. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) mine price classifications B through E.....	7.95
C. To the prices stated in Sections A and B may be added \$.15 per ton provided the coal is mined in Sub-district No. 6 of Producing District No. 8 and provided it is separately weighed and billed. Sub-district No. 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile Bituminous Coals from Producing District No. 4 (Ohio)	
A. Lump and egg:	
1. Size Group No. 2 (lump, bottom size larger than 2" but not exceeding 5"; egg, bottom size larger than 2"):	
a. From subdistrict No. 5 (Hocking):	
(1) Mine Index No. 76 (the Kimberly Mine of the Ohio Mining Company).....	8.26
(2) All other mines.....	6.21
b. From subdistrict No. 6 (Crooksville).....	5.81

¹\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL OR TRUCK—Continued

Column I	Column II
II. High volatile Bituminous Coals from Producing District No. 4 (Ohio)—Continued.	
2. Size Group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2"):	
a. From Subdistrict No. 5 (Hocking):	
(1) Mine Index No. 76 (the Kimberly Mine of the Ohio Mining Company).....	\$5.96
(2) All other mines.....	5.81
b. From Subdistrict No. 6 (Crooksville).....	5.51

(2) *Discounts—(i) Yard sales to dealers.* A discount of not less than \$.50 per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.

(ii) *Yard sales to domestic consumers.* A discount of not less than \$.50 per ton on the prices listed in Column II shall be given to all domestic consumers purchasing at the yard.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel-in and carry from curb..... \$0.75

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 16, 1945.

Issued October 16, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19899; Filed, Oct. 29, 1945;
9:34 a. m.]

[Region III Rev. Order G-53 Under RMPR 122]

SOLID FUELS IN KOKOMO, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Kokomo, Indiana, Area, described as all the territory within the corporate limits of the City of Kokomo, Indiana.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-53 supersedes Order No. G-53 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-53 is hereby revoked as of the effective date of this Revised Order No. G-53. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-53.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; and Column II lists the maximum prices per net ton for cash or credit sales on a direct delivery basis.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): ¹	
A. Lump:	
1. Size Group No. 1 (larger than 5") mine price classifications J through O.....	\$8.90
2. Size Group No. 2 (larger than 3" but not exceeding 5"):	
(a) Mine price classifications C through F.....	8.95
(b) Mine price classifications G through K.....	8.80
(c) Mine price classifications L through O.....	8.65
(d) Mine price classifications P and lower.....	8.40
B. Egg:	
1. Size Group No. 2 (top size larger than 6" x bottom size larger than 3" but not exceeding 4"; top size 5" and larger x bottom size larger than 4") Mine Price Classification O.....	8.45
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" and larger but not exceeding 5" x bottom size larger than 2" but not exceeding 3") Mine Price Classifications G through L.....	8.50

¹\$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL—Continued

Column I	Column II
I. High volatile bituminous coals from producing district No. 8—Con.	
C. Stoker, Size Group No. 10 (top size not exceeding 1 1/4" x bottom size 1/8" and larger) mine price classifications B through E.....	\$8.65
D. To the prices stated in Sections A, B and C of Part I may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8 and provided the coal is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile Bituminous Coals from Producing District No. 3 (northwestern West Virginia excluding Panhandle): ¹	
A. Lump or egg—Size group No. 1 (bottom size larger than 2") mine price classification A.....	9.58
III. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump and egg—from Sub-district No. 5 (Hocking):	
1. Size group No. 2 (Lump: larger than 2" but not exceeding 5") (egg: bottom size larger than 2").....	8.16
IV. High volatile bituminous coals from producing district No. 9 (western Kentucky):	
A. Lump or egg—Size group Nos. 1 through 6 (all single-screened lump and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2") from 14th and stray seams.....	7.26
V. High volatile bituminous coals from producing district No. 11 (Indiana):	
A. Lump or egg—Size group Nos. 1, 2 and 3 (bottom size larger than 2" washed or raw):	
1. Price group Nos. 8 through 12.....	6.33
2. Price group Nos. 7, 13 and 19.....	6.38
B. Nut or pea—Size group Nos. 9 through 12 (raw, top size not exceeding 2" x bottom size larger than 10 mesh or 3/32"):	
1. Price group Nos. 8 through 12.....	6.08
C. Dry dedusted screenings—Size group Nos. 26 and 27 (top size not exceeding 2") Price group Nos. 8 through 12.....	5.93
VI. Low volatile bituminous coals from producing district Nos. 7 and 8 (southern W. Va. and western Va.): ¹	
A. Lump and egg—Size group Nos. 1 and 2 (lump: bottom size larger than that designated for screened Run of Mine; Egg: top size larger than 3" x bottom size no limit) mine price classifications A through C.....	9.80
B. Stoker—Size group No. 5 pea or dedusted screenings; top size not exceeding 3/4" x bottom size smaller than 3/4") mine price classification A.....	8.95
VII. Anthracite, Pennsylvania—Egg, stove and chestnut sizes.....	15.35

(2) *Discounts.* (i) A discount of not less than \$0.50 per ton on the prices listed in Column II shall be given to consumers purchasing at the yard.

(ii) A discount of not less than \$0.50 per ton on the prices listed in Column II

shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in from curb.....	\$0.50
Carry from curb.....	.50
Carry up or down stairs (each flight).....	.50
Service charge for deliveries in quantities of 1/2 ton.....	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19898; Filed, Oct. 29, 1945; 9:33 a. m.]

[Region III Rev. Order G-54 Under RMPR 122]

SOLID FUELS IN MIDLAND, MICH. AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Midland, Michigan, Area, described as all the territory within Midland Township in Midland County, Michigan, including the municipality of Midland.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945, by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-54 supersedes Order G-54 un-

der Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-54 is hereby revoked as of the effective date of this Revised Order No. G-54. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-54.

(e) *Prices, discounts and service charges.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II Maximum price per net ton
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, northeastern Tennessee): ¹	
A. Lump—Size group No. 2 (larger than 3" but not exceeding 5"):	
1. Mine price classifications A through D.....	\$10.55
2. Mine price classifications E through H.....	9.65
3. Mine price classifications J through N.....	9.40
B. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" and larger but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):	
1. Mine price classification A.....	9.70
2. Mine price classification G through K.....	9.35
3. Mine price classification M and N.....	8.95
C. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/8" and larger).....	9.35
D. To the prices stated in Sections A, B and C of Part I may be added \$.15 per ton provided the coal is mined in Subdistrict 6 of Producing District No. 8, and provided the coal is separately weighed and billed by the dealer. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump—Size group No. 1 (larger than 5") from subdistrict No. 1 (eastern Ohio).....	\$8.21

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—Continued

Column I	Column II Maximum price per net ton
I. High volatile bituminous coals from producing district No. 8—Continued.	
B. Lump or egg—Size group No. 2 (lump, larger than 2" but not exceeding 5"; egg, bottom size larger than 2") from Subdistrict No. 5 (Hocking).....	\$9.91
III. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia excluding Panhandle): ¹	
A. Lump and egg—Size group No. 1 (bottom size larger than 2") from the Sewell Seam.....	10.43
IV. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): ¹	
A. Stove—Size group No. 3 (top size larger than 1 1/2" but not exceeding 3" x bottom size smaller than 3") Mine Price Classifications A through C.....	11.15
B. Stoker—Size group No. 5 (pea or dedusted screenings; top size not exceeding 3/4" x bottom size smaller than 3/4") mine price classification A.....	9.55
V. Pennsylvania anthracite; egg, stove and chestnut sizes.....	16.55
VI. Briquettes (made from low volatile bituminous coals from producing district No. 7):	
A. Glen Rogers Briquette (produced at Glen Rogers, W. Va.).....	12.15
B. All others.....	11.90

SCHEDULE II—SOLID FUEL RECEIVED BY TRUCK

Column I	Column II Maximum price per net ton
I. High volatile bituminous coals from producing district No. 3 (Michigan):	
A. Lump—Size group No. 3 (bottom size 2" and smaller) raw.....	9.90
B. Egg—Size group No. 5 (top size larger than 3" but not exceeding 4" x bottom size larger than 1 1/4" but not exceeding 2").....	9.40
(1) <i>Schedule of service charges.</i> This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.	
Carry from curb.....	\$0.75
Carry up or down stairs (each flight).....	1.00
Service charge for deliveries in quantities of 1/2 ton.....	.25
Service charge for delivery at the yard of 1/4 ton or less.....	.50

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19897; Filed, Oct. 29, 1945; 9:32 a. m.]

[Region III Rev. Order G-55 Under RMPR 122]

SOLID FUELS IN ANN ARBOR, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic and quantity consumers of specified solid fuels when sold and delivered within the Ann Arbor, Michigan Area, described as all the territory within the corporate limits of the City of Ann Arbor, Michigan, and all territory adjacent thereto and lying within five miles of said corporate limits.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-55 supersedes Order No. G-55 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-55 is hereby revoked as of the effective date of this Revised Order No. G-55. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-55.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II lists maximum prices for delivered cash sales; and Column III lists maximum prices for delivered credit sales. Credit terms are 30 days net, subject to a discount as hereinafter provided in paragraph (e) (2).

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia and northeastern Tennessee): ¹		
A. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") in Mine Price Classifications B through K-----	\$8.65	\$9.15
B. Stove—Size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) in mine price classifications E and F-----	8.85	9.35
C. Stoker—Size group No. 10 (top size 1 1/4" and smaller by bottom size 1/2" and larger) in Mine Price Classifications A through E-----	9.40	9.90
D. To the prices stated in Section A, B and C of Part I above may be added \$.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8 and provided it is separately weighed and billed by the dealer. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
II. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia): ¹		
A. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit):		
1. Mine price classification A-----	10.25	10.75
2. Mine price classifications B and C-----	10.25	10.55
B. Stove—Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") in mine price classification A-----	10.05	10.55
C. Nut or dedusted screenings—Size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4") in mine price classification A-----	9.45	9.95
D. Pea or dedusted screenings—Size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") in mine price classification A-----	9.15	9.65
III. Anthracite (Pennsylvania) egg, stove and chestnut-----	14.95	15.45
IV. Coke (excluding reject or reclaimed coke):		
1. Egg, stove and nut size-----	12.40	12.90
2. Pea size-----	11.40	11.90

¹ \$0.10 per ton may be added to the price of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts*—(i) *Prompt payment*. A discount of not less than 50¢ per ton on the prices listed in Column III shall be given on all sales where payment is made within ten days after the date of delivery.

(ii) *Quantity discounts*. A discount of not less than 50¢ per ton on the prices listed in Columns II and III shall be given on all sales pursuant to which there is delivery of a carload lot of 50 tons to one location.

(iii) *Yard sales*. A discount of not less than 50¢ per ton on the prices listed in Column II and III shall be given to domestic consumers purchasing at the yard in quantities of 500 pounds or more.

(3) *Schedule of service charges*. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel in from curb-----	Per ton	\$0.75
Carry in from curb-----		.75
Carry up or downstairs (each flight)---		.50

Service charge for deliveries in quantities of 1/2 ton----- \$0.50
Extra cartage beyond the city limits but within the area defined in the order----- 1.10

¹ Per mile per load.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19896; Filed, Oct. 29, 1945; 9:32 a. m.]

[Region III Rev. Order G-57 Under RMPR 122]

SOLID FUELS IN MANSFIELD, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Section 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*. This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered*. This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Mansfield, Ohio, Area, described as all the territory within the corporate limits of the City of Mansfield, Ohio, and all territory adjacent thereto and within two miles thereof.

(c) *Applicability of Basic Order No. G-74*. All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders*. This Revised Order No. G-57 supersedes Order No. G-57 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-57 is hereby revoked as of the effective date of this Revised Order No. G-57. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Re-

gional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8, and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-57.

(e) *Prices, discounts and service charges*—(1) *Price schedule*. This schedule sets forth maximum prices for specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuels for which prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee): ¹	
A. Lump—Size group Nos. 1 and 2 (larger than 3"):	
1. Mine price classifications D through K-----	\$9.05
2. Mine price classifications L through O-----	8.70
B. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications G and H-----	8.55
C. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/2" and larger) mine price classifications B through G-----	8.70
D. To the prices stated in Sections A, B and C of Part I may be added \$.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8, and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia excluding Panhandle): ¹	
A. Lump and egg—Size group No. 1 (bottom size larger than 2"):	
1. Mine price classification A-----	9.33
2. Mine price classifications D through F-----	7.98
B. Lump, egg or stoker—Size group No. 2 (bottom size 2" and smaller) mine price classifications D and E-----	7.78
III. High volatile bituminous coals from producing district No. 4 (Ohio):	
A. Lump and egg from subdistrict No. 5 (Hocking):	
1. Size group No. 2 (lump; bottom size larger than 2" but not exceeding 5") (egg; bottom size larger than 2")-----	7.91
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2")-----	7.46
IV. Low volatile bituminous egg coal from producing district No. 7 (southeastern West Virginia and northwestern Virginia): ¹ size group No. 2 (top size larger than 3" x bottom size no limit) mine price classifications A through C-----	10.25

¹ \$0.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* A discount of not less than \$0.50 per ton on the prices listed in Column II shall be given to all domestic consumers purchasing at the yard.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Carry or wheel-in from curb..... \$0.75
(Extra charge for each flight of stairs)..... .25

Per hour
Trimming in the bin..... .75

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 9, 1945.

Issued October 9, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19895; Filed, Oct. 29, 1945;
9:32 a.m.]

[Region III Rev. Order G-58 Under RMPR
122]

SOLID FUELS IN KALAMAZOO, MICH. AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers of specified solid fuels when sold and delivered within the Kalamazoo, Michigan Area, described as all the territory within a circle the radius of which is six miles and the center of which is the Court House, located at the intersection of Michigan and Rose Avenues in the City of Kalamazoo, Michigan.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar

with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-58 supersedes Order No. G-58 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8, and 9. Said Order No. G-58 is hereby revoked as of the effective date of this Revised Order No. G-58. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Order Nos. 3, 4, 5, 6, 7, 8, and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-58.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established, Column II lists the maximum prices for delivered cash sales to domestic consumers at any point in the above described area, and Column III lists the maximum prices for delivered credit sales. Credit terms are 30 days net subject to the discounts contained in paragraph (e) (2).

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): ¹		
A. Lump:		
1. Size group No. 1 (bottom size larger than 5"):		
(a) Mine price classifications H through K.....	\$0.90	\$10.40
(b) Mine price classification O.....	9.25	9.75
2. Size group No. 2 (bottom size larger than 3" but not exceeding 5"):		
(a) Mine price classification A.....	10.15	10.65
(b) Mine price classifications E through K.....	9.55	10.05
(c) Mine price classifications L and lower.....	9.40	9.90
B. Egg:		
1. Size group No. 4 (top size larger than 6", bottom size larger than 2" but not exceeding 3") mine price classifications E and F.....	9.45	9.95
2. Size group No. 5 (top size larger than 2" but not exceeding 3", and top size larger than 6" and bottom size 2" and smaller) mine price classifications B through K.....	9.45	9.95
3. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" and larger but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications E through L.....	9.25	9.75
4. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M.....	9.05	9.55
C. Stoker:		
1. Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/4" and larger) mine price classifications B through E.....	9.60	10.10
D. To the prices stated in Sections A, B and C of Part I may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of Producing District 8 and provided it is separately weighed and billed by the dealer. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—CON.

Column I	Column II	Column III
II. High volatile bituminous coals from producing district No. 4 (Ohio) from subdistrict 5 (Hocking):		
A. Lump and Egg:		
1. Size group No. 2 (all single screened lump coals, bottom size larger than 2" but not exceeding 3". All double screened coals bottom size larger than 2").....	\$9.01	\$9.51
2. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2").....	8.56	9.06
III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): ¹		
A. Lump:		
1. Size group No. 1 (all lump, bottom size 3 1/2" mine price classifications A and B.....)	11.05	11.55
B. Egg:		
1. Size group No. 2 (egg, top size larger than 3" bottom size no limit):		
(a) Mine price classification A.....	11.20	11.70
(b) Mine price classifications B through D.....	10.90	11.40
C. Stove or dedusted screenings:		
1. Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") mine price classifications A through C.....	10.90	11.40
D. Pea or dedusted screenings:		
1. Size group No. 5 (top size not exceeding 3 1/2", bottom size smaller than 3 1/2") mine price classification A.....	9.80	10.30
IV. Briquettes, made from low volatile coals from producing district No. 7.....	11.80	12.30
V. Anthracite (Pennsylvania) egg, stove and nut.....	10.20	10.70
VI. Coke:		
a. Shipped from Terre Haute, Indiana and from Milwaukee, Wisconsin.....	14.60	15.10
b. Shipped from Detroit, Michigan or Indianapolis, Indiana.....	14.10	14.60

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) *Discounts.* (i) A discount of not less than \$1.00 per ton shall be given to consumers who purchase solid fuel at the yard in quantities of 500 pounds or more.

(ii) A discount of not less than \$1.25 per ton shall be given to all dealers purchasing at the yard for resale.

(iii) A discount of not less than \$.50 per ton on the prices contained in Column III shall be given on all purchases of solid fuel where payment is made within 15 days after date of delivery.

(iv) A discount of not less than 2% on the prices contained in Column II shall be given on all purchases of solid fuel in quantities in excess of 15 tons where payment is made within 15 days after date of delivery.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel or carry-in from curb..... \$0.75 per ton.
Wheel or carry-in from curb..... \$0.40 per 1/2 ton.
Wheel or carry-in from curb..... \$0.25 per 1/4 ton.
Carry up or down stairs (each flight)..... \$0.25 per ton.
Trimming coal in bin..... \$0.75 per hour.
Forking or screening low volatile coals..... \$0.75 per ton.
Service charge for 1/4 ton delivery..... \$0.25.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective September 28, 1945.

Issued September 28, 1945.

J. F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19894; Filed, Oct. 29, 1945;
9:31 a. m.]

[Region III Rev. Order G-59 Under
RMPR 122]

SOLID FUELS IN BATTLE CREEK, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic and quantity consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Battle Creek, Michigan, Area, described as all the territory within a circle, the radius of which is six miles and the center of which is the intersection of Michigan Avenue and Capital Street in the City of Battle Creek, Michigan, which territory includes all the City of Battle Creek, Michigan.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945, by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-59 supersedes Order No. G-59 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-59 is hereby revoked as of the effective date of this Revised Order No. G-59. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in

this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-59.

(e) *Prices, discounts and service charges.*—(a) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II lists maximum prices for credit sales on a direct delivery basis; and Column III lists maximum prices for cash sales on a direct delivery basis. All prices are for sales on a net ton basis.

SCHEDULE I.—SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee):		
A. Lump and egg—Size group Nos. 1 and 2 (lump, bottom size larger than 3"; egg, top size 5" and larger x bottom size larger than 4" and top size larger than 6" x bottom size larger than 3" but not exceeding 4"):		
1. Mine price classifications E and F.	\$10.50	\$10.00
2. Mine price classifications G through O.	10.35	9.85
B. Egg:		
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) mine price classifications G through K.	9.90	9.40
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications E through L.	9.85	9.35
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications G through M.	9.80	9.30
C. Stoker—Size group No. 10 (top size 1 1/4" and smaller x bottom size 1/4" and larger):		
1. Mine price classifications A through E.	9.95	9.45
2. Mine price classifications F and lower.	9.80	9.30
D. To the prices stated in Sections A, B and C of Part I above, may be added \$.15 per ton provided the coal is mined in Sub-district 6 of producing district No. 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
II. High volatile bituminous coals from producing district No. 4 (Ohio) from subdistrict No. 5 (Hocking) Lump and egg:		
A. Size Group Nos. 1 and 2 (bottom size larger than 2"):		
1. From deep mines.	9.65	9.15
2. From strip mines.	9.40	8.90
B. Size groups Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2"):		
1. From deep mines.	9.25	8.75
2. From strip mines.	9.00	8.50
III. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia):		
A. Egg—Size group No. 2 (top size larger than 3" x bottom size no limit):		
1. Mine price classification A.	11.99	11.49
2. Mine price classifications B through D.	11.79	11.29
B. Stove—Size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") mine price classification A.	11.49	10.99
C. Stoker—Size group No. 5 (pea or dedusted screenings, top size not exceeding 3/4" x bottom size smaller than 3/4") mine price classification A.	9.84	9.34

\$10.10 per ton may be added to the prices of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing.

(2) *Discounts.*—(i) *Quantity discounts.* A discount of not less than 25¢ per ton on the prices listed in Columns II and III shall be given to all quantity purchasers buying in quantities of 20 tons or more.

(ii) *Yard sales.* A discount of not less than 75¢ per ton on the prices listed in Columns II and III shall be given to all domestic or quantity consumers purchasing at the yard. A discount of not less than \$1.50 on the prices listed in Columns II and III shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel in from curb.	\$0.75
Carry in from curb.	1.00
Carry up or down stairs (each flight).	.25
Forking or screening low volatile coal.	.50
Service charge for deliveries in quantities of 1/2 ton.	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 3, 1945.

Issued October 3, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19893; Filed, Oct. 29, 1945;
9:30 a. m.]

[Region III Rev. Order G-61 Under RMPR
122]

SOLID FUELS IN LORAIN, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic consumers and other dealers purchasing for resale of specified solid fuels when sold and delivered within the Lorain, Ohio Area, described as certain territory in Lorain County, Ohio, bounded as follows: Lake Erie on the North, Miller Road on the east, Ohio State Route No. 254 on the south and Kolbe Road on the west, such territory including the City of Lorain, Ohio.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No.

G-74 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region III—issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-61 supersedes Order No. G-61 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-61 is hereby revoked as of the effective date of this Revised Order No. G-61. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-61.

(e) *Prices, discounts and service charges.*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; and Column II lists maximum prices for cash or credit sales on a direct delivery basis. All prices are for sales on a net ton basis. Credit terms are 30 days net.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL

Column I	Column II
I. High volatile bituminous coals from Producing District No. 3 (northwestern West Virginia, excluding Panhandle): ¹	
A. Lump and egg—Size group No. 1 (bottom size larger than 2"):	
1. Mine price classification A.....	\$9.78
2. Mine price classification D through G.....	8.43
B. Lump, egg, stoker—Size group No. 2 (bottom size 2" and smaller), mine price classification D and E.....	8.03
II. High volatile lump coals from producing district No. 4 (Ohio), in size group Nos. 1 and 2 lump and egg, (larger than 2"):	
A. From Sub-district No. 4 (Middle):	7.91
B. From Sub-district No. 1 (eastern Ohio):	7.71
III. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee): ¹	
A. Lump—Size group No. 2 (larger than 3" but not exceeding 5"):	
1. Mine price classifications D through J.....	9.40
2. Mine price classifications K through O.....	9.05

¹\$0.10 per ton may be added to the prices of those coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

SCHEDULE I—SOLID FUELS RECEIVED BY RAIL—Continued

Column I	Column II
I. High volatile bituminous coals from Producing District No. 3—Con.	
B. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") Mine Price Classification E through H.....	\$9.20
C. Stoker—Size group No. 10 (top size 1½" and smaller by bottom size ½" and larger) mine price classifications B through G.....	9.00
D. To the prices stated in Sections A, B and C of Part III above, may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8 and provided it is separately billed and weighed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
IV. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia): ¹	
A. Lump and egg—Size group Nos. 1 and 2 (lump: bottom size larger than screened run of mine; egg: top size larger than 3" x bottom size no limit) Mine Price Classification A.....	10.75

(2) *Discounts.* A discount of not less than \$1.00 per ton on the prices listed in Column II shall be given to all dealers purchasing at the yard for resale.

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel in from curb.....	\$0.50
Carry in from curb.....	1.00
Carry up or downstairs (each flight).....	.50
Use of two chutes.....	.35
Service charge for deliveries in quantities of ½ ton.....	.35

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective October 16, 1945.

Issued: October 16, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19892; Filed, Oct. 29, 1945; 9:30 a. m.]

[Region III Order G-74 Under RMPR 122]

SOLID FUELS IN CLEVELAND REGION

For the reasons stated in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This Basic Order puts into one document the provisions common to all area coal orders establishing flat (dollars-and-cents) maximum prices for coal issued by the Cleveland Regional Office, Region III, Office of Price Administration. The orders issued pursuant to and under the authority of the provisions of this basic order are referred to herein as "adopting orders" and, when issued, will expressly adopt the provisions of this basic order. These provisions will be applicable only to the areas specified in such adopting orders.

(b) *What this order prohibits.* Regardless of any obligation, no person subject to this basic order and an appropriate adopting order shall

(1) Sell or, in the course of trade or business, buy solid fuels listed in such adopting order at prices higher than the maximum prices set by the applicable adopting order, but less than maximum prices may at any time be charged, paid, or offered;

(2) Obtain a higher than maximum price by

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by the applicable adopting order;

(ii) Charging a price for any service higher than that authorized by the applicable adopting order;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or schedules with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(3) Sell, or offer to sell, any solid fuel listed in an adopting order at prices higher than those permitted by such adopting order, at the time of delivery; but contracts to sell at the maximum price in effect at the time of delivery may be made.

(c) *Descriptive terms.* The descriptions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling descriptions of all such terms used herein or used in any adopting orders issued hereunder.

(d) *Transportation tax.* The Transportation Tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by the applicable adopting order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government, or any political subdivision thereof.

(e) *Addition of increases in suppliers' maximum prices prohibited.* The maximum prices set by an applicable adopting order may not be increased by a dealer to

reflect an increase in his purchase cost or his supplier's maximum prices after the effective date of said adopting order except as provided in paragraph (f) below.

(f) *Adjustments in selling price*—(1) *Adjustments on solid fuels from new supply source allocated by Solid Fuels Administrator for War.* In the event the Solid Fuels Administrator for War allocates to the area covered by an applicable adopting order a solid fuel, previously handled by a particular dealer, from a new source of supply having a higher delivered cost, such dealer, upon purchasing such solid fuel for sale to consumers, may adjust his maximum selling price established by such adopting order by an amount not to exceed the difference between the respective delivered costs of solid fuel from the new source of supply and from the normal (old) source of supply. Before making any sales at prices so adjusted, the dealer shall file a report in duplicate with the District Office of the Office of Price Administration having jurisdiction of the area in which his place of business is located. Each report thus filed shall set forth the following:

(i) The size and kind of solid fuel purchased from the new supply source;

(ii) The normal source of his supply of that size and kind of solid fuel including mine index number, where applicable; cost (per ton) f. o. b. supplier's shipping point; and the freight cost (per ton).

(iii) The new supply source of that size and kind of solid fuel including mine index number, where applicable; cost (per ton) f. o. b. supplier's shipping point; and the freight cost (per ton).

(iv) The difference between the delivered cost (mine cost plus freight) of the solid fuel from the normal source of supply and the delivered cost of the solid fuel from the new source of supply, both on a per ton basis and on the basis of such quantities of less than one ton as are customarily sold by the dealer.

(2) *Adjustments on customary sizes of coal where an individual mine price increase is granted under Maximum Price Regulation No. 120.* Whenever an individual mine price increase is granted under Maximum Price Regulation No. 120, thus increasing the f. o. b. mine cost, a dealer purchasing such coal for resale to consumers may increase his maximum selling price, established by the applicable adopting order, by an amount not to exceed such mine price increase. Before making any sales at prices so adjusted, the dealer shall file a report in duplicate with the District Office of the Office of Price Administration having jurisdiction of the area in which his place of business is located. Such report thus filed shall set forth the following:

(i) The name of the producer, mine index number and producing district;

(ii) The Office of Price Administration Order Number granting the mine price increase and the date of the order;

(iii) The size or sizes of coal purchased by the dealer from the mine to which the adjustment has been granted;

(iv) The new f. o. b. mine price for each size and the freight rate per ton;

(v) The amount of the increase for each size of coal;

(vi) The new selling price for each class of customer. The amount of the increase reflected in such new selling price shall not exceed the amount of the increase granted the mine.

(3) *District wide mine price increases granted under Maximum Price Regulation No. 120.* Whenever a producing district wide mine price increase is granted under Maximum Price Regulation No. 120, increasing the f. o. b. mine price of solid fuel produced in such district, a dealer purchasing solid fuel from such district for resale to consumers may thereupon increase his maximum selling price, established by the applicable adopting order, by an amount not to exceed such mine price increase.

(4) *Price increases on solid fuels produced at a coke oven or briquette plant.* Whenever an increase is granted by the Office of Price Administration in the producer's selling price of coke or briquettes, f. o. b. a coke oven or a briquette plant, a dealer purchasing such coke or briquettes for resale to consumers may increase his maximum selling price, established by the appropriate adopting order, by an amount not to exceed such increase in the producers' selling price.

(5) *Disapproval, correction or modification of adjusted prices.* The Regional Administrator of the Cleveland Regional Office may at any time disapprove, correct or modify any maximum price adjusted and/or reported under the provisions of this paragraph (f).

(g) *Solid fuels not listed in an adopting order.* Dealers' maximum prices for sales within a specified pricing area of kinds or sizes of solid fuels not listed in the price schedule of the adopting order issued for such area pursuant to this Order No. G-74, shall be determined under the provisions of Revised Maximum Price Regulation No. 122.

(h) *Classes of purchasers not specified in an adopting order.* Unless otherwise specifically provided in the adopting order issued for a specified pricing area pursuant to this Order No. G-74, dealers' maximum prices for sales within such area to classes of purchasers other than domestic consumers shall be determined under the provisions of Revised Maximum Price Regulation No. 122.

(i) *Petitions for amendment.* Any person seeking an amendment of this order or of any applicable adopting order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that this petition shall be filed with the Regional Administrator and acted upon by him.

(j) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations or orders. A seller whose license is suspended may not, during the period of suspension make any sale for which his license has been suspended.

(k) *Right of amendment or revocation.* The Regional Administrator or Price

Administrator at any time may amend, modify, revoke, or rescind this order, or any provision thereof, and any adopting order issued pursuant to this order, or any provision of such adopting order.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by an applicable adopting order issued pursuant to this order shall keep a record of such sale showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the applicable adopting order. The record shall also separately state each service rendered and the charge made for it.

(m) *Posting of maximum prices.* Each dealer subject to an applicable adopting order shall post all the maximum prices set thereby for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order, of all applicable adopting orders, and amendments available for examination by any person inquiring as to his prices for solid fuel.

(n) *Sales slips.* Every dealer selling solid fuels subject to this order and an applicable adopting order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order and an applicable adopting order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charged if he clearly indicates on the invoice that such coal is so treated.

The provisions of this paragraph (a) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(o) *Enforcement.* (1) Persons violating any provision of this order or of an adopting order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order or of an applicable adopting order are urged to communicate with the District Office of the Office of Price Administration having jurisdiction of the area in which the dealer's place of business is located.

(p) Definitions and explanations.

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver and contracts and offers to do any of the foregoing. The terms "sale", "selling", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Domestic sales" shall mean sales and deliveries made by a dealer to a domestic consumer purchasing solid fuel for the purpose of heating a private dwelling in which not more than three units receive their heat from a central heating plant.

(7) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical condition of the premises is such as to prevent dumping or unloading directly into such bin or storage space.

(8) "Trimming" means to arrange and place coal in the buyer's bin by rehandling the same for the purpose of filling the bin; and applies only to the amount of coal actually rehandled.

(9) "Carry up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(10) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth above, and in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in any adopting order.

(q) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-74 under Revised Maximum Price Regulation No. 122 shall become effective September 19, 1945.

Issued September 19, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-19891; Filed, Oct. 29, 1945;
9:30 a. m.]

[Jacksonville Rev. Order G-1 Under Gen.
Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN JACKSONVILLE, FLA., DISTRICT

An accompanying opinion has been filed with the Division of the Federal Register. Appendix A to Revised Order G-1 under General Order No. 50 is amended by adding the following brands of beer and ale and maximum prices therefor to those listed for Group 3-B in said Appendix A.

BOTTLED BEER

Commodity and brand or trade name	Maximum price per bottle	
	12-oz.	32-oz.
	Cents	Cents
Ebling's Premium.....	17	37
Holland Premium.....	17	37
ALE		
Cremo Sparkling.....	17	37

Appendix B of Revised Order G-1 under General Order No. 50 is amended by adding the following brands of beer and ale and maximum prices therefor to those listed for Group 2-B sellers for certain so-called "intermediate priced" beers and ales.

BOTTLED BEER

Commodity and brand or trade name	Maximum price per bottle	
	12-oz.	32-oz.
	Cents	Cents
Ebling's Premium.....	18	40
Holland Premium.....	18	40
ALE		
Cremo Sparkling.....	18	40

Notice to Group 2B and 3B sellers. This list must be added to your price poster and displayed in your establishment.

Issued October 19, 1945.

ROY M. COFFEY,
District Director.

[F. R. Doc. 45-19886; Filed, Oct. 29, 1945;
9:28 a. m.]

[Region IV 2d Rev. Order G-15 Under RMPR 122, Amdt. 2]

SOLID FUELS IN WINSTON-SALEM, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price

Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Second Revised Order No. G-15 under Revised Maximum Price Regulation No. 122 issued by this office on June 7, 1945 is amended to read as follows:

(1) High volatile coal from District No. 8.

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Chunk, block, lump and egg (size groups 1 and 2):			
In price classifications L, M, and N (except from mine index No. 203).....	\$9.85	\$5.18	\$2.46
From Mine Index Nos. 203, 435 and 3764.....	10.30	5.40	2.76
Lump and egg coal (size group 3) mine index 364, Gibson Fuel Co.....	10.15	5.33	2.73
Lump and egg (size group 3):			
In price classification A.....	10.10	5.30	2.71
In price classifications P through S, inclusive.....	9.50	5.00	2.56
Lump and egg (size group No. 4), from mine index Nos. 187 and 725.....	9.50	5.00	2.56
Egg (size group No. 5):			
In price classifications B through E, inclusive.....	9.85	5.18	2.65
In price classifications G, H, J and K.....	9.65	5.08	2.60
Egg (size group No. 6):			
In price classification A.....	10.10	5.30	2.71
In price classifications G through N, inclusive.....	9.20	4.85	2.49
From mine index No. 22.....	9.75	5.13	2.63
From mine index No. 437.....	9.45	4.98	2.55
Egg (size group 7) in price classification A.....	9.70	5.10	2.61
Stoker (size group 10):			
From mine index 419, Cambria Coal Co.....	9.15	4.83	2.48
In price classifications A through E, inclusive.....	9.10	4.80	2.46
Mine run (size group 16) in price classifications C through E, inclusive.....	8.90	4.70	2.41

Effective date. This amendment shall become effective as of October 1, 1945.

Issued October 16, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-19885; Filed, Oct. 29, 1945;
9:28 a. m.]

[Region I Order G-41 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ADAMS, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-41 (Specified Solid Fuels—Adams, Massachusetts Area) under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In paragraph (b), subparagraph (2) is amended to read as follows:

(2) *Discounts to certain classes of purchasers.* The foregoing per net ton prices shall be reduced by \$1.00 per net ton on all sales to industrial, commercial and educational institutions to whom deliveries of the entire contents of a railroad car are made at one time and to

one place of delivery and for which the buyers accept railroad car weights.

This Amendment No. 3 shall become effective October 22, 1945.

Issued this 17th day of October 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-19956; Filed, Oct. 29, 1945;
12:13 p. m.]

[Region I Order G-39 Under 18 (c), Amdt. 2]
FIREWOOD IN NEW HAMPSHIRE

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-39 under section 18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. Subparagraph (16) of paragraph (e) is redesignated (18), and new subparagraphs (16) and (17) are added to read as follows:

(16) "At mill" means in the "mill-pit" or within the "mill-site area." "Mill-pit" means that portion of a sawmill commonly known in the lumber-manu-

facturing industry by that term. "Mill-site area" means the area, excepting the mill-pit, lying within a distance of one-quarter mile of a sawmill, measured from the point at which the main board saw is located at the time the firewood is manufactured.

(17) "Limbwood" means firewood other than "cordwood," "fitted wood," "slabwood," "wood waste," "softwood blocks," "edgings," and "bag wood." "Hardwood limbwood" means limbwood cut from any deciduous tree.

2. Paragraph (i), Appendix A, is amended to read as follows:

(i) Appendix A: Maximum prices for firewood. The maximum prices for firewood sold or delivered in the State of New Hampshire shall be as set forth in the tables of this Appendix A, *Provided*, That:

(1) For the sale of fitted wood the seller may add at the rate of one dollar and fifty cents (\$1.50) per cord or at the rate of ninety cents (90¢) per load to the prices established below for wood delivered;

(2) The maximum price for three-quarters, or 60-cubic-foot load shall be

three-quarters of the maximum price for the full load of 80-cubic-foot;

(3) The maximum price for softwood slabwood piled in four-foot lengths at any point not mentioned in the tables in this Appendix A, shall be four dollars (\$4.00) per cord;

(4) The maximum price for softwood slabwood in any lengths longer than four feet, at any point not mentioned in the tables in this Appendix A, shall be three dollars (\$3.00) per cord;

(5) The maximum price for any form of hardwood limbwood that is sold or delivered in a length and at a point for which a maximum price for hardwood cordwood is provided in this Appendix A shall be one dollar (\$1.00) per cord, or fifty cents (50¢) per load, less than the maximum price so provided for the corresponding length of hardwood cordwood sold or delivered at the corresponding point.

The classifications of firewood listed herein in Appendix A may be mixed but the maximum price of the mixture shall be the same as the maximum price of the lowest classification therein.

APPENDIX A

TABLE 1—MAXIMUM PRICES FOR FIREWOOD IN MANCHESTER, NASHUA, AND PORTSMOUTH, NEW HAMPSHIRE

	In the woods	At roadside	At mill	At retail yard	F. o. b. car	Delivered at buyer's premises, grounds only							
						Per cord	1/2 cord	1/3 cord	1/4 cord	Load (80 cubic feet)	1/2 load	1/3 load	Bushel basket
Hardwood cordwood: 4-foot	\$9.00	\$11.50		\$14.00	\$13.00	\$16.00	\$8.00		\$4.25				
Hardwood cordwood: 12, 16, 24 inches		13.50		18.00	15.00	20.00	10.00	\$7.00	5.50	\$10.75	\$5.75	\$3.25	\$0.35
Softwood cordwood: 4-foot	5.00	7.00		8.00	8.00	10.00	5.00		2.75				
Softwood cordwood: 12, 16, 24 inches		9.00		10.00	10.00	12.00	6.00	4.25	3.50	6.50	3.75	2.00	2.25
Hardwood slabwood: 4-foot			\$5.00	10.00	10.00	12.00	6.00		3.25				
Hardwood slabwood: 16 inches and shorter				12.00	12.00	14.00	7.00	5.00	4.00	7.50	4.00	2.00	2.35
Softwood slabwood: 4-foot			2.00	6.00	6.00	8.00	4.50		2.50				
Softwood slabwood: 16 inches and shorter			3.00	8.00	8.00	11.00	5.50		3.00	6.00	3.25	1.75	2.25
Hardwood waste			5.00		6.00					7.00	4.00	2.00	2.30
Softwood waste			1.00		2.00					5.50	3.00	1.50	2.25
Softwood blocks			2.00		3.00					4.50	2.50	1.50	2.25
Edgings, 16 inches and longer			1.50		6.00	3.00							
Bundled edgings			4.00		5.00	6.50				5.00	2.75	1.50	2.25
Bag wood (per cord f. o. b. car or truck)	4.00												

TABLE 1-A.—MAXIMUM PRICES FOR FIREWOOD IN BERLIN AND GORHAM, NEW HAMPSHIRE

	In the woods	At roadside	At mill	At retail yard	F. o. b. car	Delivered at buyer's premises, grounds only							
						Per cord	1/2 cord	1/3 cord	1/4 cord	Load (80 cubic feet)	1/2 load	1/3 load	Bushel basket
Hardwood cordwood: 4-foot	\$9.00	\$11.50		\$15.50	\$13.00	\$17.50	\$8.75		\$4.50				
Hardwood cordwood: 12, 16, 24 inches		13.50		17.50	15.00	19.50	9.75	\$6.75	6.25	\$10.50	\$5.75	\$3.25	\$0.35
Softwood cordwood: 4-foot	5.00	7.00		8.00	8.00	10.00	5.00		2.75				
Softwood cordwood: 12, 16, 24 inches		9.00		10.00	10.00	12.00	6.00	4.25	3.50	6.50	3.75	2.00	2.25
Hardwood slabwood: 4-foot			\$6.00	10.00	10.00	12.00	6.00		3.25				
Hardwood slabwood: 16 inches and shorter				12.00	12.00	14.00	7.00	5.00	4.00	7.50	4.00	2.00	2.35
Softwood slabwood: 4-foot			2.00	6.00	6.00	8.00	4.50		2.50				
Softwood slabwood: 16 inches and shorter				8.00	8.00	11.00	5.50		3.00	6.00	3.25	1.75	2.25
Hardwood waste			5.00		6.00					7.00	4.00	2.00	2.30
Softwood waste			1.00		2.00					5.50	3.00	1.50	2.25
Softwood blocks			2.00		3.00					4.50	2.50	1.50	2.25
Edgings, 16 inches and longer			1.50		6.00	3.00							
Bundled edgings			4.00		5.00	6.50				5.00	2.75	1.50	2.25
Bag wood (per cord f. o. b. car or truck)	4.00												

¹ Load prices shall not apply to firewood exceeding 16 inches in length.

² Prices at retail yard or mill shall be 5 cents less in each case.

³ 12-inch wood or less.

⁴ Prices per load.

⁵ This is maximum price in mill-pit or within mill-site area for softwood slabwood in any form except cut into lengths of 16 inches or less, except piled in 4-foot lengths at any point within the mill-site area but outside the mill-pit, and except in lengths greater than 4 feet piled at any point within the mill-site area but outside the mill-pit. The maximum price for softwood slabwood piled in 4-foot lengths at any point outside the mill-pit but within the mill-site area, shall be \$3.50 per cord. The maximum price for softwood slabwood in lengths greater than 4 feet piled at any point within the mill-site area but outside the mill-pit, shall be \$2.50 per cord.

⁶ Price of \$3 per cord for softwood slabwood, 16 inches and shorter, "at mill", is maximum price for this firewood in mill-pit and at any point within mill-site area.

⁷ Or "running cord of 16-inch wood", in Coos County only.

⁸ Or "running cord of 12-inch wood", in Coos County only.

TABLE 2—MAXIMUM PRICES FOR FIREWOOD FOR ALL OTHER NEW HAMPSHIRE COMMUNITIES NOT MENTIONED IN TABLES 1 AND 1-A OF APPENDIX A

	In the woods	At roadside	At mill	At retail yard	F. o. b. car	Delivered at buyer's premises, grounds only							
	Per cord	Per cord	Per cord	Per cord	Per cord	Per cord	1/2 cord	1/3 cord	1/4 cord	Load (80 cu. ft.)	1/2 load	1/4 load	Bushel baskets
Hardwood cordwood: 4 feet	\$9.00	\$11.50		\$14.00	\$13.00	\$16.00	\$8.00		\$4.25				
Hardwood cordwood: 12 inches, 16 inches, 24 inches		13.50		16.00	15.00	18.00	9.00	\$6.25	5.00	\$9.75	\$5.25	\$3.00	\$0.35
Softwood cordwood: 4 feet	5.00	7.00		8.00	8.00	10.00	5.00		2.75				
Softwood cordwood: 12 inches, 16 inches, 24 inches		9.00		10.00	10.00	12.00	6.00	4.25	3.50	6.50	3.75	2.00	.25
Hardwood slabwood: 4 feet			\$8.00	10.00	10.00	12.00	6.00		3.25				
Hardwood slabwood: 16 inches and shorter				12.00	12.00	14.00	7.00	5.00	4.00	7.50	4.00	2.00	.35
Softwood slabwood: 4 feet			\$2.00	6.00	6.00	9.00	4.50		2.50				
Softwood slabwood 16 inches and shorter				8.00	8.00	11.00	5.50		3.00	6.00	3.25	1.75	.25
Hardwood waste			\$5.00		6.00					7.00	4.00	2.00	.30
Softwood waste			\$1.00		2.00					5.50	3.00	1.50	.25
Softwood blocks			\$2.00		3.00					4.50	2.50	1.50	.25
Edgings, 16 inches and longer			1.50			6.00	3.00						
Bundled edgings			4.00		5.00	6.50				5.00	2.75	1.50	.25
Bag wood (per cord f. o. b. car or truck)	4.00												

¹ Load prices shall not apply to firewood exceeding 16 inches in length.

² Prices at retail yard or mill shall be 5 cents less in each case.

³ 12-inch wood or less.

⁴ Prices per load.

⁵ This is maximum price in mill-pit or within mill-site area for softwood slabwood in any form except cut into lengths of 16 inches or less, except piled in 4-foot lengths at any point within the mill-site area but outside the mill-pit, and except in lengths greater than 4 feet piled at any point within the mill-site area but outside the mill-pit. The maximum price for softwood slabwood in lengths greater than 4 feet piled at any point within the mill-site area but outside the mill-pit, shall be \$2.50 per cord. The maximum price for softwood slabwood in lengths greater than 4 feet piled at any point within the mill-site area but outside the mill-pit, shall be \$2.50 per cord.

⁶ Price of \$3 per cord for softwood slabwood, 16 inches and shorter, "at mill," is maximum price for this firewood in mill-pit and at any point within mill-site area.

⁷ Or "running cord of 16-inch wood" in Coos County only.

⁸ Or "running cord of 12-inch wood" in Coos County only.

This order shall become effective October 4, 1945.

Issued this 28th day of September 1945.

[F. R. Doc. 45-19955; Filed, Oct. 29, 1945; 12:13 p. m.]

ELDON C. SHOUP,
Regional Administrator.

[Region I Order G-70 Under RMPR 122,
Amdt. 63]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (11), (Appendix 11—Bituminous Coal—Springfield, Massachusetts Area), of paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In paragraph (a), the third paragraph is amended to read as follows:

The term "bituminous coal" shall, whenever used in Appendix 11, include all kinds and sizes of bituminous coal produced in Bituminous Coal Producing Districts 1 and 2 except (1) "prepared bituminous" which is priced under Region I Revised Order No. G-10 under Revised Maximum Price Regulation #122, (2) Cannel Coal and splint-lump fireplace coals, and (3) coal from strip mines which have not by order been granted permission to charge the deep mine price, as provided in § 1340.210 (a) (16) of Maximum Price Regulation No. 120.

2. In paragraph (a), a second paragraph is added to the "Note" to read as follows:

Provided, however, That bituminous coal within the third exception above (i. e. coal from strip mines in Producing Districts 1 and 2 which have not by order been granted permission to charge the deep mine price) shall be sold at the

prices originally contained in this Appendix 11 as set forth in Amendment No. 15 to Region I Order No. G-70, plus an amount of addition as follows:

	Addition
District 1 strip	None.
District 2 strip	\$0.09 per net ton.

3. In paragraph (b) (1) (a), the prices set forth in "Price Schedule I—Sales on a Delivered Basis" are amended to read as follows:

Customer classification	Price per net ton
I. 25 or less	\$12.03
II. More than 25, but not more than 500	10.03
III. More than 50	9.78

4. In paragraph (b) (2), the prices set forth in "Price Schedule II—Yard Sales to Consumers" are amended to read as follows:

Customer classification	Price per net ton
I. 25 or less	\$11.28
II. More than 25	9.28

5. In paragraph (b) (3), "Price Schedule III—Yard Sales to Dealers", the price set forth therein ("\$8.28") is deleted, and a new price inserted: "\$8.38".

This Amendment No. 63 shall become effective September 24, 1945.

Issued this 19th day of September 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-19957; Filed, Oct. 29, 1945; 12:14 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 64]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and un-

der the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (6) (Appendix 6—Specified Bituminous Coal—Hartford, Connecticut Area) of paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In paragraph (c), subparagraph (1) is amended to read as follows:

(1) The prices set forth in the table of prices in paragraph (b) are for sales on a "direct delivery" basis and are inclusive of any trimming within the bin that may be necessary. If a carry or wheel is necessary in order to effect delivery into the consumer's bin or storage facilities and the buyer requests such services of him, the dealer may make the following charges, if such charges are separately stated on the invoice or similar document rendered to the purchaser:

	Per net ton	Per 1/2 ton	Per 1/4 ton
For any carry or wheeling from a "direct delivery" point outside the structure in which the coal is to be stored to the place of storage within the structure, except for flight carries	Cents 50	Cents 25	Cents 15
For any carry up flights of stairs and to point of storage, per flight	25	15	10

This Amendment No. 64 shall become effective October 1, 1945.

Issued this 26th day of September 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-19958; Filed, Oct. 29, 1945; 12:14 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 65]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (7) (Appendix 7—Bituminous Coal—Metropolitan Boston Area) of paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(7) Appendix 7—Bituminous Coal; Metropolitan Boston Area. (a) Maximum prices established by this Appendix 7. This Appendix 7 establishes specific maximum prices for sales of specified kinds of bituminous coal (defined in paragraph (g) hereof) in the Metropolitan Boston Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said coal. Price Schedule I contains maximum prices for sales f. o. b. transportation facilities at a yard, dock or other terminal facility, and Price Schedule II contains maximum prices for sales on a delivered basis. The Metropolitan Boston Area shall include the following cities and towns in the Commonwealth of Massachusetts: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Dedham, Dover, Everett, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Somerville, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn.

(b) Price Schedule I: Maximum prices for sales f. o. b. transportation facilities at all yards, docks and other terminal facilities in the Metropolitan Boston Area—(1) Table of prices, per net ton.

Kind of coal	Classes of purchasers		
	Class AA and A	Class B	Class C
Domestic run of mine	\$8.20	\$8.42	\$8.64
Straight run of mine	7.94	8.16	8.38
Mixed run of mine	8.09	8.31	8.53
Pasley run of mine	8.45	8.67	8.89
Pennsylvania bituminous	7.75	7.97	8.19
Nut and slack	7.70	7.92	8.14
Slack	7.65	7.87	8.09
1½" nut and slack	7.95	8.17	8.39
Mixed nut and slack	7.80	8.02	8.24
Low volatile pea	8.10	8.32	8.54
High volatile modified stoker	7.55	7.77	7.99
High volatile nut or pea	8.00	8.22	8.44
Cavalier nut and slack	7.65	7.87	8.09
Cavalier modified stoker	8.12	8.34	8.56
Kentucky double-screened stoker	8.35	8.57	8.79
High volatile egg or lump	7.65	7.87	8.09
High volatile nut and slack	7.35	7.57	7.79
Premier nut or pea	8.65	8.87	9.09

Provided, however, That at yards located in the cities and towns of Arlington, Belmont, Braintree, Canton, Dedham, Dover, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Stoneham, Wakefield, Waltham, Water-

town, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, the maximum price per net ton for sales to domestic consumers shall be the foregoing Class C price for the particular kind of coal plus One Dollar (\$1.00) per ton.

NOTE: The maximum prices established in Price Schedule I for Pennsylvania Bituminous (applicable to coals from both deep and strip mines) are based upon a mine price of \$3.60 per net ton. As to any bituminous coal purchased at the mine exceeding said figure, the amount by which said mine cost thereof exceeds \$3.60 per net ton may be added to the otherwise applicable specific selling price set forth above for Pennsylvania Bituminous coal; Provided, That the dealer shall report promptly to the Boston Office of the Office of Price Administration the following: the mine price, the name of mine, the Producing District, the size and quantity of coal so processed.

(2) Classes of purchasers. (i) Class AA shall consist of all persons who purchase f. o. b. railroad cars at seller's yard, dock or other terminal facilities.

(ii) Class A shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) All wharf dealers.

(b) Dealers (other than wharf dealers) who have yards or other terminal facilities located outside of the Metropolitan Boston and North Shore Areas, whether or not such facilities are designed or are customarily used for the handling of bituminous coal.

(c) Those consumers who have customarily been supplied by one or more wharf dealers at the same, or substantially the same, price applicable to sales to wharf dealers, whether said price was quoted as f. o. b. point of shipment, or, when delivery was arranged for, as a delivered price which was in fact arrived at by the addition to said f. o. b. price of the actual cost of transportation.

(iii) Class B shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) Dealers (other than wharf dealers) who have yards or other terminal facilities located in the Metropolitan Boston Area or the North Shore Area, whether or not such facilities are designed or are customarily used for the handling of bituminous coal.

(b) Operators of greenhouses which are used for the growth of vegetables and/or flowers.

(iv) Class C shall consist of the following persons who purchase f. o. b. truck or wagon:

(a) All dealers who are not included in Class A or Class B except brokers.

(b) All consumers who purchase on an f. o. b. truck or wagon basis and who are not included in Class A or Class B.

Provided, however, That nothing contained herein shall be so construed as to require a dealer to sell coal on an f. o. b. shipping point basis to any consumer to whom said dealer has not customarily so sold, or who has customarily purchased on a delivered basis.

(3) Services. The seller shall, upon request, arrange and pay for the transportation of the coal to the purchaser by the method of transportation indicated by the purchaser, to the extent that the re-

quested transportation facilities can, by the exercise of reasonable diligence, be secured. No charge shall be made for such service. The actual cost of the transportation shall be shown separately on the invoice or similar document rendered to the purchaser. In performing such service the dealer shall, when proper under the rules and regulations of the Bureau of Internal Revenue, furnish to the carrier the certification required to avoid further taxation on the transportation of the coal to the purchaser under section 620 of the Revenue Act of 1942.

(c) Price schedule II: Maximum prices for sales on a delivered basis—(1) Table of prices, per net ton, for sales on a "direct delivery" basis to consumers at any point in the Metropolitan Boston Area.

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Domestic run of mine	\$10.60	\$10.35	\$10.10	\$9.60	\$9.35
Straight run of mine	10.34	10.09	9.84	9.34	9.09
Mixed run of mine	10.49	10.24	9.99	9.49	9.24
Pasley run of mine	10.85	10.60	10.35	9.85	9.60
Pennsylvania bituminous	10.15	9.90	9.65	9.15	8.90
Nut and slack	10.10	9.85	9.60	9.10	8.85
Slack	10.05	9.80	9.55	9.05	8.80
1½" nut and slack	10.35	10.10	9.85	9.35	9.10
Mixed nut and slack	10.20	9.95	9.70	9.20	8.95
Low volatile pea	10.50	10.25	10.00	9.50	9.25
High volatile modified stoker	9.95	9.70	9.45	8.95	8.70
High volatile nut or pea	10.40	10.15	9.90	9.40	9.15
Cavalier nut and slack	10.05	9.80	9.55	9.05	8.80
Cavalier modified stoker	10.62	10.27	10.02	9.52	9.27
Kentucky double screened stoker	10.75	10.50	10.25	9.75	9.50
High volatile egg or lump	10.05	9.80	9.55	9.05	8.80
High volatile nut and slack	9.75	9.50	9.25	8.75	8.50
Premier nut or pea	11.05	10.80	10.55	10.05	9.80

Provided, however, That the maximum price per net ton for deliveries to domestic consumers in the cities and towns of Arlington, Belmont, Braintree, Canton, Dedham, Dover, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn shall be the foregoing Class I price for the particular kind of coal plus One Dollar (\$1.00) per ton.

NOTE: The maximum prices established in Price Schedule II for Pennsylvania Bituminous (applicable to coals from both deep and strip mines) are based upon a mine price of \$3.60 per net ton. As to Pennsylvania bituminous purchased under Area Schedule I in paragraph (b) above, at a price higher than the otherwise applicable specific maximum price set forth therein pursuant to the provisions of the "Note" to said Price Schedule I contained in said paragraph (b) the amount per net ton in excess of the otherwise applicable specific maximum price set forth in said Price Schedule I may be added to the specific price set forth in this Price Schedule II. As to Pennsylvania Bituminous purchased at the mine and received via all-rail shipment into the yard of a retail dealer, when the mine price is in excess of \$3.60 per net ton, the amount of such excess per net ton may be added to the specific selling price herein above set forth for Pennsyl-

vanian bituminous coal. *Provided*, That, in either case, the dealer shall report promptly to the Boston Office of the Office of Price Administration the following: the cost price (i. e. the selling price at dock or at mine), the name of the supplier or mine, the Producing District, the size and the quantity of coal so purchased.

(2) *Maximum authorized service charges.* The foregoing prices apply to "direct deliveries" and are inclusive of any trimming that may be necessary. If a carry or wheel is necessary in order to effect delivery into the consumer's bin or storage facilities, and the buyer requests such service of him, the dealer may charge an additional 50¢ per ton if such charge is separately stated on the invoice or similar document rendered to the purchaser.

(3) *Classes of purchasers.* Quantities refer to the consumer's annual purchase in net tons, but apply only when the minimum delivery is one ton. Prices for deliveries of less than one ton are governed by subparagraph (c) (4). The consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer, except that a dealer may charge the Class I price to any consumer, regardless of his general classification, who purchases less than 4 tons from said dealer during the course of a year.

Class I. Less than 4 tons.

Class II. Four tons or more, but less than 1000 tons, regardless of the number of points within the area at which delivery is received by the purchaser.

Class III. One thousand tons or more, regardless of the number of points within the area at which delivery is received by the purchaser.

Class IV. Three thousand tons or more, but less than 7,000 tons, delivered to a single point.

Class V. Seven thousand tons or more, delivered to a single point. If the purchaser's proper classification cannot be determined at the time of the delivery (as for example, in the case of a purchaser who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the purchaser agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(4) *Maximum prices for half and quarter-tons.* (i) The maximum price for delivery of one-half ton shall be the result arrived at by dividing the Class I price by 2, adjusting the quotient to the nearest multiple of 5¢ and adding 50¢.

(ii) The maximum price for delivery of one-quarter ton shall be the result arrived at by dividing the maximum price for delivery of one-half ton (determined pursuant to the preceding subparagraph) by 2, adjusting the quotient to the nearest multiple of 5¢ and adding 25¢.

If, in either case, the quotient is an exact multiple of 2½¢, the next higher multiple of 5¢ shall be considered the nearest multiple thereof.

(d) *Chemical or oil treatment.* (1) If bituminous coal from Districts 1, 2, 3, 7 or 8 has been subjected to oil or calcium

chloride treatment by the producer to allay dust or to prevent freezing, and the producer has properly made a charge for such treatment in accordance with the provisions of Maximum Price Regulation No. 120, the dealer selling such coal may add to the applicable maximum price established by this appendix a treatment charge at the rate of ten cents (10¢) per ton.

(2) If any bituminous coal which has not been so treated by the producer is subject to this appendix, the dealer selling such coal may add to the applicable maximum price established by this appendix, a treatment charge at the rate of ten cents (10¢) per ton; *Provided*, That no dealer shall require a purchaser to buy coal which has been so treated by the dealer.

(3) In all cases in which such a treatment charge is made, the dealer shall state it separately from all other items on his invoice.

(e) *Sales to brokers—(1) F. o. b. sales.* The maximum price for a sale to a broker who purchases f. o. b. transportation facilities at seller's yard, dock or other terminal facilities and resells without physically handling the coal, shall be 10% per ton less than the price applicable to a direct sale to a purchaser of the class of which the broker's customer is a member. The broker shall, when he places the order with the dealer, supply the name of his customer and a statement of his classification.

(2) *Delivered sales.* The maximum price for a sale by a dealer to a broker who orders coal to be delivered by the dealer directly to the broker's customer shall be 10¢ per ton less than the price applicable to a direct sale to a purchaser of the class of which the broker's customer is a member. The broker shall, when he places the order with the dealer, supply a statement of his customer's classification.

(f) *Terms of sale.* Terms of sale may be C. O. D. However, if credit is extended no additional charge shall be made if payment is received by the tenth day of the month following the month in which the coal is loaded on transportation facilities, in the case of f. o. b. sales, or delivered, in the case of sales on a delivered basis. For the extension of credit beyond said tenth day of the following month, interest may be charged at a rate not to exceed one-half of one per cent per month on the unpaid balance.

(g) *Definitions of coals.* The names of the kinds of coals which are listed in paragraphs (b) and (c) shall, for the purposes of this appendix, have the following meanings:

(i) "Domestic run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "Domestic, Dealer, Modified or Screened Run of Mine", produced in Producing Districts 7 or 8, or a mixture of coals of different size groups from Producing Districts 7 and 8 which mixture is equivalent as to coarseness.

(2) "Straight run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "Straight Run of Mine", produced in Producing Districts 3, 7 or 8, or a mixture of coals

of different size groups from Producing Districts 3, 7 or 8, which mixture is equivalent as to coarseness; except "Pasley run of mine" when Pasley Run of Mine is stored and delivered separately from any other coal.

(3) "Mixed run of mine" is bituminous coal which is a mixture of "domestic run of mine" and "straight run of mine" in equal proportions.

(4) "Pasley run of mine" means the size group No. 7 coal produced at the Pasley Mine, Mine Index No. 717 of the Carpenter-Pasley Coal Company, located in Greenbrier County, West Virginia, in Producing District No. 7.

(5) "Nut and slack" is bituminous coal screenings produced in the low volatile sections of Producing Districts 7 and 8 which, at the mine have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(6) "Slack" is bituminous coal screenings produced in the low volatile sections of Producing Districts 7 and 8 which, at the mine, have passed through a screen with openings of three-quarters (¾) of an inch or smaller.

(7) "1½" Nut and slack" is bituminous coal screenings produced in the low volatile sections of Producing Districts 7 and 8 which, at the mine, have passed through a screen with openings one and one-half (1½) inches or larger, other than "high volatile nut and slack" as defined herein. The price for "1½" nut and slack" may also be used for a mixture containing not less than 66⅔% thereof, the balance being Size Group 20 coal from the Page Mine, Mine Index No. 109, in District 7.

(8) "Mixed nut and slack" is a mixture of "1½" nut and slack" with "nut and slack" and/or "slack", containing not less than fifty percent (50%) of "1½" nut and slack."

(9) "Low volatile pea" is bituminous coal, double screened at the mine with a top size smaller than two (2) inches and a bottom size one-quarter (¼) inch or larger, produced in the low volatile section of producing Districts 7 or 8 except "Premier pea" when "Premier pea" is stored and delivered separately from any other coal except "Premier nut."

(10) "Premier nut or pea" means the following bituminous coals of Consumers Mining Corporation, produced at its Premier Mine, Mine Index No. 377 in the low volatile section of Producing District No. 8:

"Pea"—Size Group 5, price classification A;

"Nut"—Size Group 4, price classification D;

or any mixture of the foregoing.

(11) "High volatile modified stoker" is bituminous coal screenings in Size Group 18, produced in the high volatile section of Producing District 8.

(12) "High volatile nut or pea" is bituminous coal in Size Group 9, produced in the high volatile section of Producing District 8.

(13) "Cavalier nut and slack" is the bituminous coal which is known by that trade name, produced by Consolidation Coal Company at its mine having Index No. 5445, in Producing District 8.

(14) "Cavalier modified stoker" is the bituminous coal which is known by that trade name, produced by Consolidation Coal Company at its mine having Index No. 5445, in Producing District 8, and with the following composition as screened at the mine:

72% of coal which has passed through a one and one-quarter ($1\frac{1}{4}$) inch screen and over a three-eighths ($\frac{3}{8}$) inch screen. 22% of coal which has passed through a one-eighth ($\frac{1}{8}$) inch screen and over a 50 mesh screen. 6% of coal which has passed through a 50 mesh screen.

(15) "Kentucky double screened stoker" is bituminous coal produced in Sub-district 1 in the high volatile section of Producing District 8, Size Group 10, Price Classification B, C, D, or E.

(16) "High volatile egg" includes all double-screened egg coals in Size Groups 2, 3, 4, 5, 6 and 7, produced in the high volatile section of Producing District 8.

(17) "High volatile lump" includes all single-screened lump coals in Size Groups 1, 2, 3 and 4, produced in the high volatile section of Producing District 8.

(18) "High volatile nut and slack" is bituminous coal in Size Group 20, produced in the high volatile section of Producing District 8.

(19) "Pennsylvania bituminous" is bituminous coal of any size group produced in Producing Districts 1 and 2 from either deep or strip mines.

(h) *Special definitions.* When used in this Appendix 7, the term:

(1) "Wharf dealer" means a dealer who has terminal facilities located on tidewater and who normally receives bituminous coal which is transhipped via tidewater.

(2) "Broker" means a dealer who purchases bituminous coal from a dealer and, without physically handling it, resells it.

(3) "North Shore Area" includes the following cities and towns in the Commonwealth of Massachusetts: Beverly, Danvers, Lynn, Lynnfield, Marblehead, Peabody, Salem, Saugus, Swampscott and Nahant.

(i) *Special invoice requirement.* Every dealer subject to this Appendix 7 shall place on the invoice or similar document which he gives to each purchaser pursuant to subparagraph (j) of this Order No. G-70, in addition to the information called for by that subparagraph, a statement of the purchaser's classification; *Provided, however,* That the purchaser's classification need not be placed on the invoice if the sale is covered by a contract which correctly states the purchaser's classification, or if the seller has provided the purchaser with a letter stating the purchaser's classification and undertaking to notify the purchaser promptly of any change in his classification.

This amendment to Order No. G-70 shall become effective October 5, 1945.

Issued this 1st day of October 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-19959; Filed, Oct. 29, 1945; 12:14 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 66]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (20) containing Appendix 20, is hereby added to paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(20) *Appendix 20: Straight run of mine bituminous coal; Worcester, Massachusetts, Area—(a) Maximum prices established by this Appendix 20.* This Appendix 20 establishes specific maximum prices for straight run of mine bituminous coal sold and delivered in the Worcester, Massachusetts, Area by dealers.

The "Worcester, Massachusetts, Area" shall consist of the following cities and towns in the Commonwealth of Massachusetts: Auburn, Boylston, Grafton, Holden, Leicester, Millbury, Paxton, Shrewsbury, West Boylston and Worcester.

"Straight run of mine bituminous coal" means bituminous coal produced in Producing District 1 which contains all of the coal as produced at the mine; that is, from which no screenings or other sizes have been removed. It shall not include the coal commonly sold by the dealers in the Worcester, Massachusetts, Area as "Lumpy run of mine," and which is bituminous coal produced in Producing District 1 and defined by the Bituminous Coal Division as "Domestic, dealer, modified, or screened run of mine."

(b) *Schedule of maximum prices.* All prices are per net ton. Customer classifications also refer to net tons, and are defined and explained in paragraph (d), below.

Customer classifications (net ton):	Price per net ton
1-2	\$11.33
3-60	10.53
61-500	9.93
Over 500	9.63

NOTE: The above prices are for deep mine bituminous coals and for coals from strip mines in Producing District No. 1 which have by order been given permission to charge the deep mine price pursuant to Maximum Price Regulation No. 120, § 1340.210 (a) (16). The prices for strip mine coals from Producing District No. 1 which have not been granted such permission shall be the prices contained in Region I Order No. G-8, as set forth in Amendment No. 2 thereto.

(c) *Terms and conditions of sale.* (1) The maximum prices established hereby are for delivery of the coal into customer's bin. No additional charge shall be added thereto for carrying or wheeling from truck to bin or for trimming in the bin.

(2) Terms of sale shall be 2% 10 days, net 30 days.

(d) *Customer classifications.* The classification of a customer in one of the tonnage classifications set forth in the

table of prices in section (a) shall be made upon the basis of that customer's total annual consumption even though he may purchase portions thereof from two or more dealers.

In the event that it is impossible for any reason to determine the customer's proper classification at the time of the sale or delivery (as, for example, in the case of a customer who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the customer agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

This Amendment No. 66 shall become effective October 22, 1945.

Issued this 12th day of October 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-19960; Filed, Oct. 29, 1945; 12:14 p. m.]

[Region I Order G-73 Under RMPR 122, Amdt. 4]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-73 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

(1) In appendix A, the permitted net ton increase for Dial Rock is amended to read as follows:

	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice barley
(3) Dial Rock...	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55

(2) In Appendix A, the permitted net ton increase for "Steele" is amended to read as follows:

	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice barley
(8) Steele.....	\$0.65	\$0.65	\$0.65	\$0.65	\$0.65	\$0.50	\$0.35

(3) In Appendix A to the provision made for "(25) Glen Burn," a note is added to read as follows:

NOTE: These prices are continued in effect to and including December 31, 1945

pursuant to Amendment No. 2 to Order No. L-22 under Maximum Price Regulation No. 112. On and after January 1, 1946, Glen Burn shall be sold at the price for standard Pennsylvania anthracite.

This amendment No. 4 shall become effective as follows:

As to Item (1): As of September 28, 1945.

As to Item (2): As of September 27, 1945.

As to Item (3): As of October 1, 1945.

Issued this 5th day of October 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-19961; Filed, Oct. 29, 1945;
12:15 p. m.]

[Region III Rev. Order G-9 Under RMPR
122]

SOLID FUELS IN INDIANAPOLIS, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars and cents maximum prices for specified solid fuels when sold and delivered by dealers in the area hereinafter described. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in such area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *Area covered.* This adopting order covers all sales to domestic, commercial and industrial users of specified solid fuels when sold and delivered within the Indianapolis, Indiana, Area, described as all the territory within the county of Marion, Indiana.

(c) *Applicability of Basic Order No. G-74.* All the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, Basic Order for Area Pricing of Coal in Region III, issued September 19, 1945 by the Cleveland Regional Office, Region III, Office of Price Administration, are adopted in this order and are as much a part of this order as if printed herein. If said Order No. G-74 is amended in any respect, all the provisions of such order as amended shall likewise, without other action, be a part of this adopting order. All persons subject to this adopting order are also subject to, and should be familiar with, the provisions of said Order No. G-74.

(d) *Relationship between this order and previous orders.* This Revised Order No. G-9 supersedes Order No. G-9 under Revised Maximum Price Regulation No. 122 and Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9. Said Order No. G-9 is hereby revoked as of the effective date of this Revised Order No. G-9. This revised order is issued as an adopting order pursuant to the provisions of Order No. G-74 under Revised Maximum Price Regulation No. 122, and since all applicable provisions of Regional Supplementary Orders Nos. 3, 4, 5, 6, 7, 8 and 9 are incorporated in this

revised order, said Regional Supplementary Orders shall not apply to this Revised Order No. G-9.

(e) *Prices, discounts and service charges—(1) Price schedule.* This schedule sets forth maximum prices for sales to domestic, commercial and industrial users of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II lists maximum prices for sales, other than quantity sales, on a direct delivery basis; and Column III lists maximum prices for quantity sales. "Quantity Sale" is defined as a sale pursuant to which delivery is made by one dealer, in load lots on orders of 25 tons or more, to one purchaser and to one address over a period of not more than 30 days.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia and northeastern Tennessee).¹		
A. Lump:		
1. Size group Nos. 1, 2, 3 (larger than 2" mine price classification A.....)	\$10.00	\$9.10
2. Size group Nos. 1 and 2 (larger than 3"):		
a. Mine price classifications D through H.....	9.70	6.65
b. Mine price classifications J and K.....	9.35	8.45
c. Mine price classifications L through O.....	9.20	8.20
d. Mine price classifications P and lower.....	8.80	8.00
B. Egg:		
1. Size group Nos. 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine price classification A.....	9.30	8.25
b. Mine price classifications B through K.....	9.15	8.15
c. Mine price classifications L through N.....	8.75	7.95
d. Mine price classifications O and lower.....	8.50	7.75
2. Junior egg (or stove), size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 1/4" and smaller):		
a. Mine price classification A.....	9.10	8.10
b. Mine price classifications B through G.....	9.00	7.90
c. Mine price classifications H and lower.....	8.70	7.80
C. Stoker, size group No. 10 (top size 1 1/4" and smaller x bottom size 3/4" and larger):		
1. Mine price classification A.....	9.45	8.80
2. Mine price classifications B through E.....	9.15	8.45
3. Mine price classifications F through lower.....	8.95	8.15
D. Run of mine (straight, resultant or altered), size group Nos. 16 and 17 (larger than 2 3/4" x 0; no coal smaller than 3/8" removed)—Mine price classifications A through G.....		7.75
E. Screenings, size group Nos. 19, 20, 21 (straight screenings larger than 3/8" x 0, but not exceeding 2 3/4" x 0; and altered screenings top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top and 3/8" to 3/4" bottom coal has been removed):		
1. Mine price classifications A through D.....		7.80
2. Mine price classifications E through L.....		7.60
3. Mine price classifications M and lower.....		7.35
F. To the prices stated in Sections A, B, C, D and E of Part I may be added \$0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—Con.

Column I	Column II	Column III
II. High volatile bituminous coals from producing district No. 11 (Indiana):		
A. Lump and egg, size group Nos. 1, 2, 3 (bottom size larger than 2", washed or raw):		
1. Linton-Sullivan District:		
a. Price group No. 6.....	\$7.63	\$6.98
b. Price group Nos. 7, 18, 19.....	7.03	6.13
c. Price group Nos. 8 through 12.....	6.38	5.78
2. Princeton-Ayrshire District—price group No. 10.....	6.58	5.88
B. Lump, egg and stove, size group Nos. 4, 5, 6, 8 (bottom size 2" and smaller, washed or raw)—Linton-Sullivan District:		
a. Price group Nos. 7, 18, 19.....	6.83	5.88
b. Price group No. 13.....	6.83	6.13
C. Raw nut and pea, size group Nos. 9, 10, 11, 12 (bottom size larger than 10 mesh or 3/4"):		
1. Linton-Sullivan District:		
a. Price group No. 6.....	7.18	6.38
b. Price group Nos. 7, 18, 19.....	6.23	5.58
c. Price group Nos. 8 through 12.....	6.23	5.58
2. Princeton-Ayrshire District—price group No. 10.....	6.38	5.58
3. Brazil-Clinton District—price group No. 1.....	6.68	5.53
D. Raw screenings, size group Nos. 13 and 14 (larger than 3/8" x 0 but not exceeding 2" x 0)—Linton-Sullivan District—price groups Nos. 7, 18, 19.....		5.93
E. Washed or air cleaned nut, size group Nos. 17 through 22 (bottom size larger than 10 mesh or 3/4"):		
1. Linton-Sullivan District—price group Nos. 8 through 12.....	6.33	5.68
2. Princeton-Ayrshire District:		
a. Price Group No. 10.....	6.48	5.73
b. Price Group No. 14.....	7.23	6.53
3. Boonville District—price group No. 11.....	6.48	5.73
F. Washed or air cleaned screenings, size group Nos. 23 and 24 (larger than 3/8" x 0 but not exceeding 2" x 0)—Princeton-Ayrshire District price group No. 14.....		6.43
G. Dry dedusted screenings, size group Nos. 26 and 27 (larger than 3/8" x 0 but not exceeding 2" x 0):		
1. Linton-Sullivan District—price group Nos. 8 through 12.....	5.98	5.33
2. Princeton-Ayrshire District—price group No. 10.....	6.03	5.38
H. Water dedusted screenings, size group Nos. 30 and 31 (larger than 3/8" x 0 but not exceeding 2" x 0) Princeton-Ayrshire District—price group No. 10.....		6.08
I. A charge of \$0.10 per ton may be made for treating coals described under parts C, E and G above if the producer has customarily and is now making such a charge.		
III. Low volatile bituminous coals from producing district No. 8 (southwestern West Virginia and eastern Kentucky).¹		
A. Lump and egg:		
1. Size group Nos. 1 and 2 (lump; bottom size larger than screened run of mine; egg; top size larger than 3" x bottom size no limit)—a. Mine price classifications B and C.....	10.20	8.80
B. Domestic run of mine, size group No. 6:		
1. Mine price classifications A through D.....	9.35	8.55
IV. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia).¹		
A. Lump size group No. 1 (bottom size larger than screened run of mine):		
1. Mine price classification A.....	10.50	9.35
2. Mine price classifications B and C.....	10.20	8.95
B. Egg size group No. 2 (top size larger than 3" x bottom size no limit):		
1. Mine price classification A.....	10.65	9.45
2. Mine price classifications B and C.....	10.30	9.05
C. Stove, size group No. 3 (dedusted screenings, top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3")—1. Mine price classifications A through C.....		10.30
D. Stoker:		
1. Size group No. 4 (nut or dedusted screenings, top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4").....	9.55	8.55
2. Size group No. 5 (pea or dedusted screenings, top size not exceeding 3/4" x bottom size smaller than 3/4"):		
a. Mine price classification A.....	9.40	8.45
b. Mine price classifications B through D.....	9.25	8.25

¹ \$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing.

SCHEDULE I—SOLID FUEL RECEIVED BY RAIL—
Continued

Column I	Column II	Column III
IV. Low volatile bituminous coals from producing district No. 7—Continued.		
E. Run of mine:		
1. Domestic, size group No. 6:		
a. Mine price classifications A through D	\$9.80	\$8.80
b. Mine price classification E	9.25	8.55
2. Straight, altered and resultant, size group No. 7 (larger than 1 1/4" x 0):		
a. Mine price classifications A and B		8.50
b. Mine price classifications C and D		8.20
V. Anthracite—Pennsylvania: Egg, stove, chestnut	17.40	
VI. Coke, Indianapolis (excluding reject or reclaimed coke):		
A. Nut and egg	12.10	
B. Pea	11.10	
VII. Briquettes (made from low volatile bituminous coals from District No. 7):		
A. Glen Rogers briquettes (produced at Glen Rogers, West Virginia)	11.15	
B. All others	10.90	

(2) *Discounts*—(i) *Yard sales*. The prices set forth in Column II of Schedule I shall be subject to a discount of not less than \$1.00 per ton on all sales to dealers purchasing at the yard for resale.

(ii) *Prompt payment*. The prices set forth in Column II of Schedule I shall be subject to a discount of not less than \$0.25 per ton on all sales (other than quantity sales) when payment is made within ten days after the date of delivery.

(3) *Schedule of service charges*. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in from curb	\$0.50
Carry from curb	1.00
Carry up or down stairs (each flight)	1.00
Trimming in bin	.25

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective September 28, 1945.

Issued September 28, 1945.

JOHN F. KESSEL,
Acting Regional Administrator.

[F. R. Doc. 45-19962; Filed, Oct. 29, 1945;
12:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-785]

PAN AMERICAN AIRWAYS CORP.

ORDER SETTING HEARING ON APPLICATION TO
EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of October, A. D. 1945.

In the matter of application by the Boston Stock Exchange to extend unlisted trading privileges to Pan American

Airways Corporation, purchase warrants for \$2.50 Par Capital Stock, expiring December 30, 1947, File No. 7-785.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard:

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Tuesday, November 13, 1945, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Frank Kopelman, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20005; Filed, Oct. 30, 1945;
9:39 a. m.]

[File Nos. 54-131, 70-1145]

CONSOLIDATED ELECTRIC AND GAS CO. ET AL.

NOTICE OF FILING OF AMENDMENTS, ORDER FOR SEVERANCE OF CONSOLIDATED PROCEEDINGS, AND NOTICE OF AND ORDER FOR HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of October, A. D., 1945.

In the matters of Consolidated Electric and Gas Company, File No. 54-131; Federal Water and Gas Corporation, Southern Natural Gas Company, File No. 70-1145.

On September 27, 1945, this Commission issued a notice of filing, notice of and order for hearing and order consolidating hearings in the above captioned matters filed under the Public Utility Holding Company Act of 1935. That order, among other things, directed that a consolidated hearing be held on October 29, 1945, regarding a filing of Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and a filing of Federal Water and Gas Corporation ("Federal") and Southern Natural Gas Company ("Southern"), both registered holding companies,

Southern being a direct subsidiary of Federal.

Notice is hereby given that Consolidated, and Federal and Southern, have filed amendments to their original filings. These amendments are primarily concerned with the elimination from the original proposals of the sale by Consolidated and the acquisition by Southern of the common stock of Atlanta Gas Light Company. All interested persons are referred to said amended filings which are on file in the offices of this Commission for a statement of the transactions therein proposed which may be summarized briefly as follows:

I. Consolidated proposes pursuant to section 11 (e) of the act to satisfy, discharge and retire all of its bond indebtedness by payment in cash of the principal amount thereof plus accrued interest thereon to the date of payment. As at June 30, 1945, the bond indebtedness of Consolidated consisted of Collateral Trust Bonds as follows: 6% Series, due August 1, 1957, \$1,557,000 principal amount ("6% Series Bonds"); and 3%-6% Series, due August 1, 1962, \$13,269,000 principal amount ("3%-6% Series Bonds"), \$11,930,500 principal amount thereof being designated as Series A and \$1,338,500 principal amount thereof being designated as Series B.

The 6% Series Bonds are by their terms redeemable at the option of Consolidated at their principal amount and accrued interest to the date of redemption. The 3%-6% Series Bonds are by their terms redeemable at the option of Consolidated at 103% of the principal amount thereof plus accrued interest to the date of redemption. By the terms of the plan of Consolidated, filed under section 11 (e) of the act, Consolidated will satisfy and retire all of its outstanding bonds by payment in cash of the principal amount thereof plus accrued interest thereon to the date of payment but without the payment of the redemption premium applicable to the 3%-6% series bonds.

The proposed payment and satisfaction of the outstanding Collateral Trust Bonds of Consolidated are to be accomplished by the use of funds to be obtained by the divestment by Consolidated of certain of its portfolio securities or assets underlying said securities; by a bank loan which will in turn be discharged by such divestment; or by a combination of divestments and bank loans to be discharged by subsequent divestments. Appropriate amendments will be made to the instant filings in connection with these matters.

Consolidated requests that this Commission, in the event that it approves said plan and at such times as Consolidated shall inform the Commission that it has the necessary funds available and all other regulatory requirements of this Commission applicable thereto have been satisfied, apply to an appropriate Federal court in accordance with the provisions of sections 11 (b) and 18 (f) of the act to enforce and carry out the terms and provisions of said plan applicable to the payment, satisfaction and discharge of the 3%-6% Series Bonds. Consolidated has not requested court enforcement of

the provisions of the plan relating to the payment, satisfaction and discharge of the 6% Series Bonds which are being redeemed pursuant to their terms. Within ten days after the entry of an appropriate court order regarding the plan Consolidated proposes to give notice to the effect that it will satisfy and retire all of its 3%-6% Series Bonds. The date of payment is to be at least 30 days after the first publication of said notice and shall be on the first day of a month. The holders of the 3%-6% Series Bonds are to have the right to receive cash equal to the principal thereof and interest to the date fixed for payment at any time after the first publication of notice upon surrendering their bonds to Continental Illinois National Bank and Trust Company of Chicago, trustee under the indenture securing said bonds. The plan further provides that from and after the date designated for payment no further interest is to accrue upon any of the 3%-6% Series Bonds.

Consolidated further proposes that it have the right subsequent to the issuance of an order of this Commission approving said plan, if such approval is given, to purchase 3%-6% Series Bonds in the open market through brokers or from the holders thereof but without solicitation by payment of cash equal to the principal amount thereof plus accrued interest thereon to the date of purchase.

II. Southern proposes to acquire and Federal proposes to sell to Southern 12,500 shares (all) of the common stock, no par value, of Mississippi Public Service Company ("Mississippi") for a base cash consideration of \$1,173,484. Southern further proposes to acquire and Federal proposes to sell to Southern 7,500 shares (all) of the common stock, \$100 per share par value, of Chattanooga Gas Company ("Chattanooga") for a base cash consideration of \$1,000,000.

Southern proposes to issue new common stock " * * * at a total sales price of not less than \$2,500,000 * * * [and] First Mortgage Pipe Line Sinking Fund Bonds and/or serial notes in amounts sufficient to produce from the sale of all new securities to be issued a total of not less than \$21,500,000 nor more than \$23,000,000."

The details of the proposed financing are to be supplied by further amendment to these proceedings. The general program of financing, as indicated in the instant filings, will provide that the new common stock will be offered for pro rata subscription by the stockholders of Southern. Transferable warrants evidencing subscription rights are to be issued with an expiration date 30 days from the date of their issue. Federal is to acquire the number of shares of new common stock to which it is entitled as holder of 765,000 shares of presently outstanding common stock of Southern plus all or any part of the number of additional shares which are not subscribed for by the other stockholders of Southern prior to the expiration of the subscription warrants. Federal also proposes to acquire in the open market or directly from holders thereof all or any part of the subscription warrants to be

issued by Southern and all of the common stock of Southern issued upon exercise by Federal of such warrants.

Federal requests that such order or orders as this Commission may issue herein regarding the proposed sale by it of the stocks of Mississippi and Chattanooga and the proposed purchase of new stock of Southern recite that these transactions are necessary or appropriate to the integration or simplification of the holding company system of which Federal and Southern are members and that such order or orders conform to the requirements of sections 371 (b), 371 (f) and 1808 (f) of the Internal Revenue Code as amended and contain the recitals and specifications required thereby.

III. The order of this Commission dated September 27, 1945, among other things, reserved jurisdiction " * * * to separate, either for hearing, in whole or in part, * * * of any issues or questions which may arise in these proceedings * * * " and directed that Consolidated " * * * give written notice of this hearing in such form as the Commission shall approve to the holders of its bonds and preferred stock (insofar as the identity of such security holders is known or is available to Consolidated) at least fifteen days prior to October 29, 1945 * * * ". It now appearing that these proceedings, as amended, no longer involve common questions of law and fact and should be severed for purposes of public hearing and that the hearing regarding the application of Consolidated should be held on October 29, 1945 and that the hearing on the joint application-declaration of Federal and Southern should be held on October 30, 1945;

It is ordered, That the proceedings heretofore consolidated be, and they hereby are, severed.

It is further ordered, That public hearings regarding the amended plan of Consolidated (File No. 54-131) be held as previously scheduled on October 29, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission.

It is further ordered, That without limiting the scope of the issues presented by said filing particular attention be directed at said hearing to the following matters and questions:

(1) Whether the transactions as proposed by Consolidated are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to all persons affected thereby and particularly whether the proposal that the indebtedness represented by the 3%-6% series bonds be satisfied by payment of the principal amount thereof with accrued interest to date of such payment in cash but without payment of any redemption premium thereon is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the holders of said bonds, to the remaining security holders of Consolidated and to all other persons affected thereby;

(2) Whether and in what manner the proposed plan should be modified to ensure adequate protection of the public interest and the interests of investors and consumers and compliance with all the applicable provisions of the act and rules promulgated thereunder;

(3) Whether the plan appropriately provides for the payment of fees and expenses by Consolidated in connection with the plan.

It is further ordered, That a hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on October 30, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, regarding the amended filings of Federal and Southern (File No. 70-1145).

It is further ordered, That without limiting the scope of the issues presented by said amended filing particular attention be directed at said hearing to the following matters and questions:

(1) Whether the proposed acquisitions by Federal of shares of the common stock of Southern and subscription warrants for such shares in the manner and under the circumstances proposed meet all of the applicable requirements of the act and rules promulgated thereunder;

(2) Whether the consideration proposed to be paid by Southern and received by Federal for the securities of Chattanooga and Mississippi are in all respects reasonable and appropriate;

(3) Whether the acquisition by Southern of the securities of Mississippi and Chattanooga will be detrimental to the public interest or the interests of investors or consumers or the proper functioning of the Southern holding company system; and whether the proposed acquisitions will serve the public interest by tending towards the economical and efficient development of an integrated public utility system and will not otherwise be detrimental to the carrying out of the provisions of section 11 of the act;

(4) Whether the accounting entries to be made in connection with the proposed transactions are proper;

(5) Whether the fees, commissions or other remunerations to be paid directly or indirectly in connection with the proposed transactions are reasonable; and

(6) Generally whether the proposed transactions comply with all of the applicable provisions and requirements of the act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers or to prevent the circumvention of any provisions of the Act or rules, regulations or orders thereunder to impose terms and conditions in connection with any of the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20002; Filed, Oct. 30, 1945;
9:38 a. m.]

[File Nos. 54-132, 70-1149, 70-1150]

ENGINEERS PUBLIC SERVICE CO. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of October, A. D. 1945.

In the matter of Engineers Public Service Company, File No. 54-132; El Paso Electric Company, File No. 70-1149; Gulf States Utilities Company, File No. 70-1150.

The Commission, on October 15, 1945, having issued its notice of filing and order for hearing directing that a hearing be held on November 13, 1945 in the above consolidated proceeding involving the application of Engineers Public Service Company for approval of a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the divestment of its interests in El Paso Electric Company and Gulf States Utilities Company; and

Counsel for the applicant companies having requested that the hearing in this matter be postponed until November 20, 1945, and the Commission deeming it appropriate that said request be granted;

It is ordered, That the hearing in this matter previously scheduled for November 13, 1945, at 10 a. m. (e. s. t.), in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to November 20, 1945, at the same hour and place and before the same Trial Examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise wishing to participate in the above proceeding shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to November 16, 1945.

It is further ordered, That Engineers Public Service Company give notice of this new hearing date to all its stockholders of record by mailing a communication giving the date, hour and place of hearing to each of said persons at his last known address, at least fifteen days prior to the date of the hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20003; Filed, Oct. 30, 1945;
9:38 a. m.]

[File Nos. 70-1134, 70-1135, 59-12]

AMERICAN POWER & LIGHT CO. ET AL.

ORDER AUTHORIZING PROPOSED EXPENDITURE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of October, A. D. 1945.

In the matter of American Power & Light Company, Texas Utilities Company, File No. 70-1134; American Power & Light Company, Texas Utilities Company and Electric Power & Light Corporation, File No. 70-1135; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, et al., Respondents, File No. 59-12.

Electric Power & Light Corporation ("Electric"), a registered holding com-

pany, which the Commission has ordered to be dissolved, having filed an amendment herein requesting that the Commission enter an order to conform to the requirements of section 371 and 1808 of the Internal Revenue Code as amended, with respect to the proposed expenditure by Electric of the \$17,350,000 received by it as the proceeds of the sale by it of the common stock of Dallas Power & Light Company, towards the retirement of its outstanding Gold Debentures, 5% Series due 2030; and

The Commission deeming such expenditure for the retirement of the outstanding debentures of Electric to be necessary or appropriate to the integration or simplification of the Holding Company System of which Electric is a member and necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and deeming it appropriate to grant the foregoing request of Electric:

It is hereby ordered, That the expenditure by Electric of the \$17,350,000 received by it as the proceeds of the sale of the common stock of Dallas Power & Light Company toward the retirement of its Gold Debentures, 5% Series, due 2030, is hereby authorized as a step which is necessary or appropriate to the integration or simplification of the Holding Company System of which Electric is a member, and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20001; Filed, Oct. 30, 1945;
9:38 a. m.]

[File Nos. 70-1157, 70-1165]

WISCONSIN POWER & LIGHT CO. AND NORTH WEST UTILITIES CO.

ORDER GRANTING AND PERMITTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of October, A. D. 1945.

In the matter of Wisconsin Power and Light Company, File No. 70-1157; North West Utilities Company, File No. 70-1165.

The Middle West Corporation ("Middle West") and its subsidiary, North West Utilities Company ("North West"), both registered holding companies, and Wisconsin Power and Light Company ("Wisconsin"), a public utility subsidiary of North West, have filed applications and declarations and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 9, 10 and 12 thereof, regarding the following proposed transactions:

(1) The issue by Wisconsin of 120,000 shares of 4½% Preferred Stock of the par value of \$100 per share, the exchange of such stock plus \$5.00 per share in cash for an equal number of presently outstanding shares of 6% and 7% Pre-

ferred Stock, and the redemption of all unexchanged shares of 6% and 7% Preferred Stock at the redemption price of \$110 per share;

(2) The reclassification by Wisconsin of its presently outstanding common stock, consisting of 146,185 shares of the par value of \$50 per share, into 730,325 shares of the par value of \$10 per share;

(3) The issue by Wisconsin and the acquisition by North West of 450,000 shares of common stock of the par value of \$10 per share for cash at par value;

(4) The issue by Wisconsin of serial notes to certain banks in the aggregate principal amount of \$3,800,000 for the purpose of retiring Wisconsin's presently outstanding notes;

(5) The issue by North West of its promissory note in the principal amount of \$1,000,000 to the First National Bank of Chicago and the pledge of collateral as security therefor;

(6) The sale by Middle West to Wisconsin of 1,681 shares of 6% and 7% Preferred Stock of Wisconsin at the redemption price, or, if it is necessary in order to effectuate the exchange offer, the exchange of such shares for an equal number of shares of Wisconsin's 4½% Preferred Stock; and

Wisconsin having requested an exemption from the competitive bidding provisions of Rule U-50 in connection with the issue of the 4½% Preferred Stock; and

A public hearing having been held on said amended applications and declarations after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion herein;

It is ordered, That the said amended applications and declarations be, and the same hereby are, granted and permitted to become effective subject to the terms and conditions contained in Rule U-24 and to the following additional condition:

That the Articles of Organization of Wisconsin Power and Light Company be amended so as to provide that, for the purpose of computing the amount of annual net income available for common stock dividends in connection with provisions restricting such dividends, there shall be deducted from such net income an amount equal to the annual amortization of Plant Acquisition Adjustments Account.

It is further ordered, That the proposed issue of 4½% Preferred Stock by Wisconsin Power and Light Company be, and the same hereby is, exempt from the provisions of Rule U-50.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20006; Filed, Oct. 30, 1945;
9:39 a. m.]

[File No. 70-1166]

NEW ENGLAND PUBLIC SERVICE CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 29th day of October 1945.

In the matter of New England Public Service Company, Central Maine Power Company, Maine Seaboard Paper Company, File No. 70-1166.

Notice is hereby given that a joint declaration and application, and an amendment thereto, have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by New England Public Service Company, a registered holding company, and its subsidiaries, Central Maine Power Company and Maine Seaboard Paper Company.

Notice is further given that any interested person may, not later than November 7, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration and application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration and application, and amendment thereto, which are on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Central Maine Power Company proposes to sell to Maine Seaboard Paper Company, and the latter corporation proposes to acquire, a steam turbo-generator of 5,000 kilowatt capacity, and the apparatus auxiliary thereto, located on the properties of Maine Seaboard Paper Company at Bucksport, Maine, for a cash consideration of \$200,000. The proceeds from such sale will be deposited by Central Maine Power Company with Old Colony Trust Company, Trustee under the Indenture securing the company's First and General Mortgage Bonds, and will be used to retire a portion of the company's bonds or will be withdrawn

against additional property in accordance with the provisions of said Indenture.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20004; Filed, Oct. 30, 1945;
9:38 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417, 4417a, 4418, 4426, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391, 391a, 392, 404, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

TELEPHONE SYSTEMS

Sound powered telephone systems; Type A, Model W. T. P.-1 watertight pedestal mounting station with 6-inch, 8-inch, or 10-inch bell (Dwg. No. 12, Alt. 2); Model K, splash-proof bulkhead mounting station with 3-inch, 4-inch, 6-inch, 8-inch, or 10-inch, or cow bell (Dwg. No. 9, Alt. 2), submitted by Hose-McCann Telephone Company, Inc., 177 Pacific Street, Brooklyn 2, New York.

Dated: October 29, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-20007; Filed, Oct. 30, 1945;
10:02 a. m.]

WAR PRODUCTION BOARD.

[C-421]

THE MICHIGAN CATHOLIC

CONSENT ORDER

The Michigan Catholic, a Michigan corporation, with principal offices at 6202 Hamilton Avenue, Detroit, Michigan, publishes a weekly newspaper, The Michigan Catholic. It is charged by the War Production Board with having used or caused to be used during the fourth quarter of 1943, the four quarters of 1944, and the first and second quarters of 1945,

72,810 pounds of print paper in excess of its quota, in violation of Limitation Order L-240. The Michigan Catholic admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Michigan Catholic, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) During the fourth calendar quarter of 1945, and the first and second calendar quarters of 1946, the Michigan Catholic shall reduce its use of print paper for the printing of The Michigan Catholic by using, during the fourth quarter of 1945, at least 24,759 pounds of print paper less, during the first calendar quarter of 1946 at least 21,127 pounds of paper less, and during the second calendar quarter of 1946 at least 26,924 pounds of paper less than the quota it would otherwise be entitled to use during the said applicable quarters as specified by the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Michigan Catholic from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to The Michigan Catholic, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on October 1, 1945, and shall expire on July 1, 1946.

Issued this 30th day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20018; Filed, Oct. 30, 1945;
11:35 a. m.]